

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BENTON: Petitions of Ozark Presbytery and Woman's Home and Foreign Missionary Society of Neosho, Mo., urging the passage of House bill prohibiting the sale of liquor in Army canteens, post exchanges, transports, or reservations used by the Government—to the Committee on Military Affairs.

By Mr. BROSIUS: Petition of M. A. McCormick and other druggists of Lancaster, Pa., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. BROWNLOW: Resolutions of E. D. Morgan Post, No. 307; Gillett Post, No. 556; L. B. Porter Post, No. 573; J. K. Barnes Post, No. 360, Department of New York; Gracy Post, No. 630, Department of Pennsylvania, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. BURKETT: Protests of Painters and Decorators of America and the Building Trades Council of Cleveland, Ohio, and vicinity, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Resolutions of Williamson Post, No. 109, Department of Wisconsin, in favor of amending the pension laws—to the Committee on Invalid Pensions.

Also, petitions of citizens of Janesville and Rock County, Wis., in favor of the Grout bill increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. DALZELL: Petition of E. E. Heck, druggist, of Pittsburgh, Pa., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, petitions of the Presbyterian Church, Calvary Lutheran Church, United Brethren Church, and Young Men's Christian Association, of Wilkinsburg, Pa., favoring the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. DOLLIVER: Petition of citizens of Manning, Iowa, favoring the passage of the Grout bill to amend the oleomargarine law of 1896—to the Committee on Agriculture.

By Mr. FLETCHER: Petition of James Bryan Post, No. 119, of Minneapolis, Minn., Grand Army of the Republic, urging the passage of certain amendments to the present pension law—to the Committee on Pensions.

By Mr. GARDNER of New Jersey: Petition of George M. Rible and other citizens of Springfield Township, Burlington County, N. J., in favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, petitions of T. H. Boysen, of Egg Harbor; F. H. Brennan, Atlantic City, and Princeton (N. J.) pharmacists, for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. GRIFFITH: Petition of druggists of Freetown, Ind., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. POLK: Petition of citizens of Northumberland County, Pa., in favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, resolution of the State Legislative Board of Railroad Employees, favoring Senate bill 3604 and House bill 10302, requiring common carriers to report to Interstate Commerce Commission the details of all injuries to employees—to the Committee on the Judiciary.

Also, resolution of the State Legislative Board of Railroad Employees of Pennsylvania, favoring a law that will prevent the issuance of injunctions upon employees and giving to them the right of trial by jury in cases of contempt—to the Committee on the Judiciary.

By Mr. RHEA of Kentucky: Petition of Post 138, of Berrys Lick, Ky., Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. RICHARDSON: Petition of J. H. McGrew and other druggists, for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. RIXEY: Paper to accompany House bill for the relief of Sarah J. Walker, of Fairfax County, Va.—to the Committee on Claims.

By Mr. SHACKLEFORD: Petition of the governor and citizens of Missouri, for appropriation for the improvement of the Missouri River near Jefferson City, Mo.—to the Committee on Rivers and Harbors.

By Mr. SMALL: Petition of O. F. Smith and others, of Washington and Tyrrell counties, N. C., for the passage of bill authorizing survey of Scuppernon River and estimate of cost of same—to the Committee on Rivers and Harbors.

By Mr. SMITH of Kentucky: Paper to accompany House bill No. 682, relating to the claim of the estate of Robert Colvin—to the Committee on War Claims.

By Mr. SPALDING: Petitions of Hammer, Borman & Co., of Christine, and B. F. Hamilton, of Davenport, N. Dak., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, resolutions of the North Dakota Stock Association, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

Also, petition of R. Norton and others, of Sargent County, N. Dak., in favor of the Grout bill increasing the tax on oleomargarine—to the Committee on Agriculture.

Also, resolutions of the North Dakota Stock Association, in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the North Dakota Stock Association, requesting the passage of a bill permitting cattle to remain on cars in transit forty hours instead of twenty-eight hours, as now provided by law—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Petition of W. W. Moshee and other druggists of Waterbury, Conn., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. STEWART of New Jersey: Petition of W. R. Cobb, of Paterson, N. J., relating to the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

## SENATE.

MONDAY, May 7, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

STEPHEN R. MALLORY, a Senator from the State of Florida, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Friday last.

Mr. KYLE. I ask unanimous consent that the further reading of the Journal be dispensed with.

Mr. ALLISON. The reading of the Journal is nearly completed. I hope the Secretary will be allowed to finish it.

Mr. KYLE. Very well.

The reading of the Journal was resumed and concluded; and it was approved.

WILLIAM H. THEOBALD,

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 30th ultimo, certain information relative to the report of Secret Service Agent Burns, relating to the alleged irregular practices and methods of Special Employee of the Treasury Department William H. Theobald, stationed at the port of New York; which was read, ordered to lie on the table, and to be printed, as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,  
Washington, May 7, 1900.

To the President pro tempore of the Senate.

SIR: I have the honor to acknowledge the receipt of Senate resolution of April 30, 1900, as follows:

"Resolved, That the Secretary of the Treasury be directed to transmit to the Senate a copy of the report of Secret Service Agent Burns, and all documents, papers, memoranda, etc., relating to the alleged irregular practices and methods of Special Employee of the Treasury Department William H. Theobald, stationed at the port of New York."

The report of the Secret Service agent referred to, and the other papers called for, relate to a case which is still under investigation by officers of the Treasury Department. The manifest embarrassment which would follow a disclosure of statements confidentially made, in great part upon mere hearsay and at best not yet established by any proper evidence, leads me to venture the suggestion that the Senate could not have been fully advised of the nature of the matter for which the resolution calls.

Compliance with the resolution would, in my opinion, be injudicious and injurious to the public service, for much of the report consists of conversations not corroborated by evidence and has been obtained in part upon the promise of confidence. It would further hinder, if it did not defeat, the end which the Department seeks to attain by the investigation now being conducted.

It is frequently in this way that the Department is finally able to detect frauds against the Government, or malfeasance in its servants, and it seems to me it will be apparent to the Senate that future operations of the Department of this kind, in the event confidential reports are laid before Congress, will be conducted with increasing difficulty.

I present this statement in the belief that the Senate, in view of the nature of the case, will not desire me to comply with the resolution of April 30, 1900.

Respectfully,

L. J. GAGE, Secretary.

## MUNICIPAL GOVERNMENT IN THE PHILIPPINE ISLANDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a copy of General Orders, No. 40, dated Manila, March 29, 1900, made by the military governor of the Philippine Islands, providing for a system of civil municipal government and for the election of municipal

officers by the people; which, with the accompanying papers, was referred to the Committee on the Philippines, and ordered to be printed.

#### CIVIL-SERVICE EXAMINATION PAPERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of March 13, 1900, a sealed package in which are contained the papers of 169 different examinations, together with an alphabetical list of the same, and stating that many of these papers are of a confidential character as well as a special and technical nature, some of them having had but very limited use in the examinations, etc.; which, with the accompanying papers, was referred to the Committee on Civil Service and Retrenchment.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3537) to grant authority to change the name of the steamship *Paris*.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10696) relating to the Twelfth and subsequent censuses, and giving the Director additional power and authority in certain cases, and for other purposes.

The message further announced that the House had passed a bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6250) extending the time for proof and payment on lands claimed under the desert-land law of the United States by the members of the Colorado Co-operative Colony of Southwestern Colorado; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. MONDELL, and Mr. DE VRIES managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9711) making appropriations for fortification and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEMENWAY, Mr. PUGH, and Mr. McRAE managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8582) making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1901; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. MARSH, and Mr. JETT managers at the conference on the part of the House.

The message further returned to the Senate, in compliance with its request, the bill (S. 2729) granting a pension to Eliza L. Reese.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 192) granting an increase of pension to Anna H. Tupper;

A bill (H. R. 359) granting an increase of pension to William M. Walker;

A bill (H. R. 528) granting an increase of pension to Isabel B. Hamilton;

A bill (H. R. 642) granting an increase of pension to Charles C. Doolittle;

A bill (H. R. 741) granting an increase of pension to Zedock C. Andrews;

A bill (H. R. 857) granting an increase of pension to James Chapman;

A bill (H. R. 1454) for the relief of William L. Orr;

A bill (H. R. 1751) granting a pension to Cordelia Sessions;

A bill (H. R. 1943) granting an increase of pension to Simon Price;

A bill (H. R. 2076) granting an increase of pension to Horace N. Brackett;

A bill (H. R. 2125) granting a pension to Thomas R. Harris;

A bill (H. R. 2409) granting an increase of pension to Frank C. Stevens;

A bill (H. R. 2728) granting a pension to Thomas T. Garrison;

A bill (H. R. 2734) granting an increase of pension to Dolly L. Harrell;

A bill (H. R. 2748) granting an increase of pension to Henry Schnetberg;

A bill (H. R. 3131) granting a pension to Matilda O'Connor;

A bill (H. R. 3224) granting an increase of pension to Jeremiah B. Moore;

A bill (H. R. 3307) granting a pension to Matilda Hennessy;

A bill (H. R. 3481) granting a pension to Josephine Haley;

A bill (H. R. 3563) granting an increase of pension to Julia A. Floyd;

A bill (H. R. 3642) granting an increase of pension to Adolphus Lavine;

A bill (H. R. 3655) granting a pension to Margaret Burns;

A bill (H. R. 3693) granting an increase of pension to Abraham Sanford;

A bill (H. R. 4037) granting a pension to Annie M. Churchward;

A bill (H. R. 4138) granting an increase of pension to Elizabeth A. Hyatt;

A bill (H. R. 4180) granting an increase of pension to Austin J. Pickett;

A bill (H. R. 4247) granting an increase of pension to Francis S. Wolfe;

A bill (H. R. 4520) granting an increase of pension to George H. French;

A bill (H. R. 4658) granting a pension to Anna Hering;

A bill (H. R. 4675) granting an increase of pension to Robert H. Jones;

A bill (H. R. 4789) granting a pension to Mary M. Young;

A bill (H. R. 4791) granting a pension to Catharine A. Schwunger;

A bill (H. R. 4805) granting a pension to Isaac Price;

A bill (H. R. 4832) granting an increase of pension to Martha E. Graves;

A bill (H. R. 5088) granting an increase of pension to William G. Willoughby;

A bill (H. R. 5181) granting an increase of pension to John M. Smith;

A bill (H. R. 5435) granting an increase of pension to Alexander P. Baugher;

A bill (H. R. 5718) granting an increase of pension to Joseph Whitmore;

A bill (H. R. 6159) granting an increase of pension to Arnold Bloom;

A bill (H. R. 6195) granting a pension to Livingston B. Gregory;

A bill (H. R. 6285) granting an increase of pension to James R. Green;

A bill (H. R. 6375) granting an increase of pension to Chester Willis;

A bill (H. R. 6554) granting an increase of pension to Thomas J. Carlton;

A bill (H. R. 6624) granting an increase of pension to John C. Bradley;

A bill (H. R. 6785) granting an increase of pension to Maria Egan;

A bill (H. R. 7177) granting an increase of pension to John N. Breed;

A bill (H. R. 7391) granting a pension to Mira B. Woolson;

A bill (H. R. 7535) granting an increase of pension to Clare H. Burleigh;

A bill (H. R. 7596) granting an increase of pension to Eliza Wight;

A bill (H. R. 7614) granting an increase of pension to David P. Stewart;

A bill (H. R. 7624) granting an increase of pension to Pleasant H. McBride;

A bill (H. R. 7767) granting a pension to Alice D. Roatch;

A bill (H. R. 8083) granting an increase of pension to James Winnie;

A bill (H. R. 8112) granting a pension to John Vogler;

A bill (H. R. 8378) granting an increase of pension to Mary Steffens;

A bill (H. R. 8422) granting a pension to John B. Wetherbee;

A bill (H. R. 8655) granting an increase of pension to Edgar H. Stevens;

A bill (H. R. 8669) granting an increase of pension to Eliza A. Lake;

A bill (H. R. 8682) granting a pension to Louisa C. Germain;

A bill (H. R. 8800) granting a pension to Bell Fires;

A bill (H. R. 8830) granting an increase of pension to William F. Boyakin;

A bill (H. R. 8926) granting an increase of pension to Chill W. Hazzard;

A bill (H. R. 9070) granting an increase of pension to Daniel H. Kent;

A bill (H. R. 9180) granting an increase of pension to Nathaniel L. Colson;

A bill (H. R. 9202) granting a pension to Alvin Seagrove;

A bill (H. R. 9457) granting an increase of pension to Roger Fenton;



A bill (H. R. 9574) granting an increase of pension to Catharine A. Brown;

A bill (H. R. 9714) granting an increase of pension to Alexander N. Shipley;

A bill (H. R. 9944) granting an increase of pension to Albert Rudiger; and

A bill (H. R. 10310) to authorize the construction of a bridge across the Back Bay, at Biloxi, Miss.

#### PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of Lenox Grange, No. 43, Patrons of Husbandry, of Madison County, N. Y., and a petition of Fayetteville Grange, No. 610, Patrons of Husbandry, of New York, praying for the adoption of certain amendments to the interstate-commerce law; which were ordered to lie on the table.

He also presented the petition of Edward H. Neff, secretary and treasurer of the Buffalo Branch of the National Association of Railway Mail Clerks, of Buffalo, N. Y., praying for the enactment of legislation increasing the salaries of third-class railway mail clerks; which was ordered to lie on the table.

He also presented a petition of Fayetteville Grange, No. 610, Patrons of Husbandry, of New York, praying for the enactment of legislation to secure to the people of the country the advantages of State control of imitation dairy products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Central Labor Council, American Federation of Labor, of Jamestown, N. Y., praying for the enactment of legislation to regulate the hours and wages of attendants at the Government Hospital for the Insane in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Veterinary Medical Association of New York County, N. Y., praying for the establishment of a veterinary corps in the United States Army; which was ordered to lie on the table.

He also presented a petition of Abel Smith-First Long Island Post, No. 435, Department of New York, Grand Army of the Republic, of Brooklyn, N. Y., praying for the enactment of legislation giving veterans preference in every public employment; which was ordered to lie on the table.

He also presented a petition of Laborers' Protective Union, No. 7458, American Federation of Labor, of Utica, N. Y., praying for the enactment of legislation increasing the salaries of male employees in the Government Printing Office; which was referred to the Committee on Printing.

He also presented a petition of the Trades and Labor Assembly of Syracuse, N. Y., and a petition of Local Union, No. 14, American Federation of Musicians, of Albany, N. Y., praying that the United States Marine Band be not allowed to take away the means of livelihood of civilian bands by the refusal of leaves of absence for the purpose of participation in public events, expositions, etc.; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Denver Allied Printing Trades Council, of Denver, Colo., praying for the enactment of legislation providing for the printing of the label of the Allied Printing Trades on all Government publications; which was referred to the Committee on Printing.

Mr. VEST presented a petition of the Stone Hill Wine Company, of Hermann, Mo., praying for the removal of the revenue tax on bottled wines; which was referred to the Committee on Finance.

He also presented a petition of the Commercial Club, of Kansas City, Mo., praying that an appropriation be made to celebrate the centennial of the Louisiana purchase by holding an international exposition in St. Louis during the year 1903; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the American Medical Association, praying for the enactment of legislation providing for the investigation by the Marine-Hospital Service of the pollution of water supplies where the sanitary condition of the people of more than one State and Territory is affected; which was referred to the Committee on Public Health and National Quarantine.

Mr. BATE presented a petition of the Woman's Christian Temperance Union of Knoxville, Tenn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange or canteen or transport, or upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

Mr. BURROWS presented a petition of the Trades and Labor Council of Grand Rapids, Mich., praying for the enactment of legislation to increase the salaries of all male employees in the Government Printing Office; which was referred to the Committee on Printing.

He also presented memorials of Journeymen Horseshoers' Union No. 40, of Columbus, Ohio; the International Bicycle Workers and

Allied Mechanics of Columbus, Ohio, and of Local Union No. 272, Cigar Makers' International Union, of Lansing, Mich., remonstrating against the enactment of legislation to place a tax upon butterine, oleomargarine, and all other kindred dairy products; which were referred to the Committee on Agriculture and Forestry.

Mr. FAIRBANKS presented the petition of Simon Herr and 5 other citizens of Brazil, Ind., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of Stony Point Grange, No. 1733, Patrons of Husbandry, of Indiana, praying for the adoption of certain amendments to the interstate-commerce law; which was ordered to lie on the table.

Mr. COCKRELL presented a petition of the Commercial Club of Kansas City, Mo., praying that an appropriation be made to celebrate the centennial of the Louisiana purchase by holding an international exposition in the city of St. Louis during the year 1903; which was referred to the Select Committee on Industrial Expositions.

Mr. TELLER presented a memorial of the Federal Labor Union of Boulder, Colo., remonstrating against the further cession of the public lands; which was referred to the Committee on Public Lands.

He also presented a petition of the Frances Willard Woman's Christian Temperance Union of Colorado Springs, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquor in Hawaii, etc.; which was ordered to lie on the table.

Mr. McBRIDE presented a petition of the Woman's Christian Temperance Union of Milton, Oreg., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Alaska, Hawaii, Porto Rico, Cuba, and the Philippines; which was ordered to lie on the table.

Mr. SCOTT presented a petition of sundry citizens of Greenbrier County, W. Va., praying for the adoption of certain amendments to the interstate-commerce law; which was ordered to lie on the table.

Mr. SPOONER presented a petition of Williamson Post, No. 109, Department of Wisconsin, Grand Army of the Republic, praying for the adoption of certain amendments to the dependent pension act of June 27, 1890; which was referred to the Committee on Pensions.

He also presented a petition of sundry churches and religious societies of Appleton, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, etc.; which was referred to the Committee on Military Affairs.

He also presented the petition of A. H. Hollister and sundry other citizens of Madison, Wis., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

Mr. MONEY presented sundry papers to accompany the bill (S. 3284) for the relief of Eugenie Baptiste, sole surviving heir of Francisco Krebs; which were referred to the Committee on Private Land Claims.

Mr. FRYE presented a petition of sundry members of the bar of Ponce, Porto Rico, praying for the adoption of an amendment to section 34 of the act establishing a civil government in Porto Rico, etc.; which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of the National Association of Manufacturers of the United States, praying for the enactment of legislation to establish a department of commerce and industries; which was ordered to lie on the table.

He also presented a petition of the National Association of Manufacturers of the United States, praying for the enactment of legislation providing for the appointment of a commercial and industrial commission to China, Japan, and adjacent Asiatic countries; which was ordered to lie on the table.

He also presented a petition of the National Association of Manufacturers of the United States, praying for the enactment of legislation to promote the commerce and increase the foreign trade of the United States, etc.; which was ordered to lie on the table.

He also presented a petition of the Trans-Mississippi Commercial Congress of the United States, praying for the enactment of legislation to secure protection in the use of adulterated food products; which was referred to the Committee on Manufactures.

He also presented a petition of the National Association of Manufacturers of the United States, praying for the enactment of legislation providing for the laying and operating of competing cables between the United States and Porto Rico and Cuba; which was referred to the Committee on Relations with Cuba.

#### CHEROKEE INDIAN AGREEMENT.

Mr. PLATT of Connecticut. I present a memorial of the Keetoowah Cherokees of the Cherokee Nation, remonstrating against

the passage of the proposed bill to ratify and confirm an agreement with the Cherokee tribe of Indians and praying protection for the full-blood Cherokees. I move that the memorial be printed as a document and referred to the Committee on Indian Affairs. The motion was agreed to.

#### DISAPPEARING GUN CARRIAGES.

Mr. PERKINS. On behalf of the subcommittee on fortifications and ordnance I present certain papers, including letters from the Secretary of War, the Major-General Commanding the Army, the Chief of Ordnance, United States Army, and the Chief of Engineers, United States Army, on the subject of disappearing carriages for the seacoast fortification. I move that the papers be printed as a document and referred to the Committee on Appropriations.

The motion was agreed to.

#### COURTS IN SOUTH CAROLINA.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 4175) to provide for sittings of the circuit and district courts of South Carolina in the city of Florence, S. C., to report it adversely. I will say to the Senator from South Carolina [Mr. TILLMAN] that this bill which is reported adversely is the Senate bill, and I am instructed afterwards to report favorably the House bill. I move that the Senate bill be indefinitely postponed.

The motion was agreed to.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 10279) to provide for sittings of the circuit and district courts of South Carolina in the city of Florence, S. C., to report it without amendment.

Mr. TILLMAN. Mr. President—

Mr. HOAR. I ask that the bill may be taken up. It is a short bill, and merely provides for additional sittings of the courts.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REPORTS OF COMMITTEES.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 2489) to provide for the further distribution of the reports of the Supreme Court, reported it without amendment.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 3422) to adjust and equalize the rank and pay of certain officers of the Navy, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2172) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a commodore on the retired list of the Navy, reported it with amendments, and submitted a report thereon.

Mr. KEAN, from the Committee on Claims, to whom was referred the bill (S. 3175) for the relief of Mrs. I. M. Howell, Mrs. Elizabeth Meagher, and Mrs. A. H. Stevens, assignees of William McGarrahan, asked to be discharged from its further consideration, and that it be referred to the Committee on the Judiciary; which was agreed to.

Mr. COCKRELL, from the Committee on the Library, to whom was referred the joint resolution (S. R. 82) for erecting a monument to the soldiers who fell in the battle of Talladega, Ala., on the 9th day of November, 1813, and for other purposes, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (H. R. 2955) providing for the resurvey of township numbered 8, of range numbered 30 west of the sixth principal meridian, in Frontier County, State of Nebraska, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 5763) to extend the coal-land laws to the district of Alaska, to report it without amendment, and to submit a report thereon.

I ask unanimous consent that the bill may be taken up at the present time. It comprises only a few lines. It is a House bill, and there will be no objection to it.

Mr. COCKRELL. Let it be read for information.

The PRESIDENT pro tempore. The bill will be read in full to the Senate.

The Secretary read the bill.

Mr. PLATT of Connecticut. I do not wish to object unreasonably, but I should like to look at the statutes which are referred to there. I wish it may lie over.

The PRESIDENT pro tempore. The bill will go to the Calendar.

Mr. HANSBROUGH. I will say to the Senator from Connecticut that the bill simply extends the coal-land laws of the United States to the district of Alaska. Of course if the Senator desires to examine the statutes I shall not press the bill at this time.

Mr. VEST. Mr. President—

The PRESIDENT pro tempore. Objection being made, the bill goes to the Calendar.

Mr. VEST. I wish to state that when I am in the Senate hereafter, and leave is asked to call up bills during the morning business, I shall object. Nobody can understand what the bills are, and it delays all other business. I wish to make a report from the Committee on Public Health and National Quarantine.

The PRESIDENT pro tempore. The report will be received.

Mr. VEST, from the Committee on Public Health and National Quarantine, to whom was referred the petition of Dr. R. B. Leech, of St. Paul, Minn., praying that legislation be had by Congress creating a commission to practically and systematically investigate by comparative tests with any other tangible so-called vaccine against yellow fever, Asiatic cholera, and the plague, or "black death," so-called arsenization prophylaxis, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the memorial.

Mr. MONEY, from the Committee on Public Buildings and Grounds, submitted a report to accompany the bill (S. 597) to provide for the erection of a public building in the city of New Orleans, heretofore reported by him.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (S. 201) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof, reported it with amendments, and submitted a report thereon.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1011) for the erection of a public building at Waterbury, Conn., reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4167) to authorize a one-story addition to the post-office at Newark, N. J., reported it with amendments, and submitted a report thereon.

Mr. SIMON, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 4207) to increase the limit of cost for the purchase of site and erection of a building thereon at Helena, Mont., reported it with an amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 4144) to provide for the purchase of a site and the erection of a public building thereon at Huntington, in the State of West Virginia, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment submitted by Mr. GEAR April 21, 1900, proposing to appropriate \$200,000 for the construction of suitable fireproof laboratory buildings for the use of the United States Department of Agriculture, intended to be proposed to the sundry civil appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 2217) granting a pension to Louise O'Leary, reported it with an amendment, and submitted a report thereon.

Mr. CARTER, from the Committee on Public Lands, to whom was referred the amendment submitted by himself on the 3d instant, proposing to appropriate \$2,600.04 to pay the 12 members of the boards of mineral land commissioners for the States of Montana and Idaho the balance due them for services during the month of October, 1899, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

He also, from the same committee, reported an amendment relative to the removal of dead and down timber from forest reservations, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

#### EVERETT, WASH., A PORT OF ENTRY.

Mr. TURNER. I am directed by the Committee on Commerce, to whom was referred the bill (S. 4509) declaring the city of Everett, Wash., to be a port of entry in the Puget Sound customs collection district, to report it with an amendment, and I ask for its immediate consideration.



The bill was read, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Commerce was to strike out all after the enacting clause and insert:

*Be it enacted, etc.,* That the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, be, and the same are hereby, extended to Everett, a subport of entry in the customs collection district of Puget Sound.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. TURNER. I think the title ought to be amended, and therefore I move to amend the title.

The title was amended so as to read: "A bill extending to the city of Everett, Wash., a subport of entry, the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise."

Mr. TURNER, from the Committee on Commerce, to whom was referred the bill (S. 4499) extending the act passed June 10, 1880, amending the statutes in relation to immediate transportation of dutiable goods, and for other purposes, to the port of Everett, in the State of Washington, reported adversely thereon, and the bill was postponed indefinitely.

#### BILLS INTRODUCED.

Mr. PLATT of New York introduced a bill (S. 4571) amending the statutes relating to the delivery of imported merchandise; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 4572) granting a pension to Mary Florence Von Steinwehr; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4573) for the relief of George W. Quintard, of the Morgan Iron Works; which was read twice by its title, and referred to the Committee on Claims.

Mr. VEST introduced a bill (S. 4574) granting an increase of pension to Mary Emily Wilcox; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 4575) granting an increase of pension to Thomas Claiborne; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KENNEY introduced a bill (S. 4576) granting a pension to Elizabeth H. Du Hamel; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4577) for the relief of Joseph Williams; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 4578) granting an increase of pension to Mary Jane Faulkner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4579) for the relief of James T. Caldwell;  
A bill (S. 4580) for the relief of William Crosby;  
A bill (S. 4581) for the relief of Joshua Sherwood and Elizabeth Gray;

A bill (S. 4582) for the relief of the estate of Henry M. Baker, deceased;

A bill (S. 4583) for the relief of the Shiloh Methodist Church, Fredericksburg, Va.;

A bill (S. 4584) for relief of heirs of E. O. Watkins; and  
A bill (S. 4585) for the relief of William Edward Bailey.

Mr. MCOMAS introduced a bill (S. 4586) removing the charge of desertion from the record of William Harig; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

#### AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. TELLER submitted an amendment proposing to appropriate \$3,660 to enable the Secretary of the Senate to pay for work performed in arranging and preparing the index of private claims introduced during the Fifty-second, Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. FORAKER submitted an amendment proposing to appropriate \$15,000 for the review and completion of a scientific investigation into the past and present condition of the life on the fur-seal rookeries of the Pribilof Islands, Alaska, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. STEWART submitted an amendment proposing to appropriate \$462,441.97 to pay the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. PERKINS submitted an amendment proposing to appropriate \$300 for supplying the natives of Afognak Island, Alaska, with fishing nets, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment relating to the surveying of the public lands, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment relative to the improvement of Oakland Harbor, California, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment relative to the construction of debris dams and impounding works in California, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

RIDA B. HASKELL.

On motion of Mr. GALLINGER, it was

*Ordered*, That the papers accompanying the bill (S. 1804) granting an increase of pension to Rida B. Haskell be withdrawn from the files of the Senate and transmitted to the claimant, no adverse report having been made in the case.

#### COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. VEST submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Public Health and National Quarantine have permission to sit during sessions of the Senate, to send for persons and papers, and to employ a stenographer, the expense to be paid out of the contingent fund of the Senate.

#### RESOLUTIONS FOR SEATING OR UNSEATING A SENATOR.

Mr. CHANDLER. I offer a resolution, which I ask to have read and go over until to-morrow morning under the rule.

The resolution was read, as follows:

*Resolved*, That a resolution for seating or unseating a Senator when once before the Senate is always in order as a question of privilege under Rule VI, except as provided in said rule, and has preference over all other business; but is subject to the motions provided for in Rule XXII.

The PRESIDENT pro tempore. The resolution will lie on the table.

MARGARET H. KENT.

Mr. GALLINGER. I submit a concurrent resolution, for which I ask present consideration.

The concurrent resolution was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return to the Senate the bill of the Senate numbered 2332, granting an increase of pension to Margaret H. Kent.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

Mr. GALLINGER. Mr. President, in explanation of the resolution I will say that the beneficiary has died since the bill passed the Senate, and it is desirable that it shall be recalled before it is signed.

The concurrent resolution was agreed to.

#### POLICY OF PROTECTION.

Mr. GALLINGER. Mr. President, I submit a resolution which I ask shall be read, printed, and lie on the table, and I give notice that I shall ask the courtesy of the Senate to submit some observations upon the resolution on Thursday, the 10th instant, after the routine morning business.

The resolution was read, as follows:

*Resolved*, That the existing phenomenal business prosperity of the country is largely due to the policy of protection, furnishing conclusive proof of the wisdom and patriotism of the Republican party in the enactment of the Dingley tariff law.

The PRESIDENT pro tempore. The resolution will lie on the table subject to the call of the Senator from New Hampshire, if there be no objection.

#### GATHMANN TORPEDO SHELL AND GUN.

Mr. TILLMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Navy be directed to send to the Senate report of all experiments with the Gathmann torpedo shell and gun.

#### ARMY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of

the Senate to the bill (H. R. 8582) making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1901, and requesting a conference on the disagreeing votes of the two Houses.

Mr. HAWLEY. I move that the Senate insist upon its amendments, and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint conferees on the part of the Senate; and Mr. HAWLEY, Mr. SEWELL, and Mr. COCKRELL were appointed.

#### COLORADO COOPERATIVE COLONY.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 6250) extending the time for proof and payment on lands claimed under the desert-land laws of the United States by the members of the Colorado Cooperative Colony in southwestern Colorado, and requesting a conference on the disagreeing votes of the two Houses.

Mr. HANSBROUGH. I move that the Senate insist on its amendments, and that the request of the House for a conference be granted.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HANSBROUGH, Mr. CARTER, and Mr. SULLIVAN were appointed.

#### FORTIFICATIONS APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9711) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. PERKINS. I move that the Senate insist upon its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. PERKINS, Mr. WARREN, and Mr. PETTIGREW were appointed.

#### ELIZA L. REESE.

The PRESIDENT pro tempore laid before the Senate the bill (S. 2729) granting a pension to Eliza L. Reese, returned from the House of Representatives in compliance with the request of the Senate.

Mr. GALLINGER. I move that the Senate reconsider its votes whereby the bill was ordered to a third reading, read the third time, and passed. I shall then make a further motion.

The motion to reconsider was agreed to.

Mr. GALLINGER. The bill is now before the Senate properly, I presume.

The PRESIDENT pro tempore. For amendment, the Senator will have to move to reconsider the vote by which the bill was ordered to be engrossed for a third reading.

Mr. GALLINGER. I will include that in my motion.

The PRESIDENT pro tempore. Without objection, the motion by which the Senate ordered the bill to be engrossed for a third reading will be reconsidered. Now the bill is before the Senate.

Mr. GALLINGER. Mr. President, this is a bill granting a pension to an old and destitute woman. I think her age is 83 years. Inadvertently the committee overlooked those facts and reported the bill at a very low rate of pension. The junior Senator from Alabama [Mr. PETTUS] is acquainted with the case and is interested in it.

I move to amend the bill by striking out the word "eight" and inserting the word "twenty," so that it will carry a rate of pension of \$20 per month.

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment. The Senator from New Hampshire moves an amendment, which will be stated.

The SECRETARY. In line 9, before the word "dollars," strike out the word "eight" and insert "twenty."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HOUSE BILL REFERRED.

The bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 4th instant, approved and signed the act (S. 2869) authorizing the Cape Nome Transportation, Bridge, and Development Com-

pany, a corporation organized and existing under the laws of the State of Washington and authorized to do business in the Territory of Alaska, to construct a traffic bridge across the Snake River at Nome City, in the Territory of Alaska.

The message also announced that the President of the United States had on the 5th instant approved and signed the following acts:

An act (S. 342) granting a pension to Eleanor McDevitt;  
An act (S. 681) granting a pension to Julia D. Richardson;  
An act (S. 755) granting a pension to Hannah R. Johnson;  
An act (S. 950) granting a pension to Sarah Ann Fletcher;  
An act (S. 1007) granting a pension to Mary E. Feen;  
An act (S. 1271) granting a pension to Charles Williamson;  
An act (S. 1296) granting a pension to Mary R. Bacon;  
An act (S. 2545) granting a pension to Nellie A. West;  
An act (S. 3102) granting a pension to Seleder Burnham;  
An act (S. 3125) granting a pension to Emily A. Larimer;  
An act (S. 3186) granting a pension to Margaretha Lippert;  
An act (S. 474) granting an increase of pension to Isaac Patterson;

An act (S. 752) granting an increase of pension to Isaac W. Comery;

An act (S. 820) granting an increase of pension to Anna M. Deitzler;

An act (S. 995) granting an increase of pension to Nelly Young Egbert;

An act (S. 1202) granting an increase of pension to Sarah E. Stubbs;

An act (S. 1242) granting an increase of pension to Adele W. Elmer;

An act (S. 1600) granting an increase of pension to John T. Hayes;

An act (S. 1754) granting an increase of pension to Burton Packard;

An act (S. 1787) granting an increase of pension to Joseph P. Pope;

An act (S. 1804) granting an increase of pension to Rida B. Haskell;

An act (S. 1977) granting an increase of pension to Levi Moser;

An act (S. 2200) granting an increase of pension to Elizabeth W. Murphy;

An act (S. 2505) granting an increase of pension to James C. Carlton;

An act (S. 2880) granting an increase of pension to Caroline B. Bradford;

An act (S. 2943) granting an increase of pension to James J. Holland;

An act (S. 3004) granting an increase of pension to James H. Stevens; and

An act (S. 2863) restoring to the pension roll the name of Francis H. Staples.

The message further announced that the President of the United States had on this day approved and signed the act (S. 3018) for the appointment of an additional United States commissioner in the northern judicial district of the Indian Territory.

#### EXPENDITURES FOR PARIS EXPOSITION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. JONES of Arkansas, was, with the accompanying papers, ordered to lie on the table and be printed.

#### To the Senate of the United States:

I transmit herewith, in reply to the resolution of the Senate dated April 10, 1900, a report from the Secretary of State, accompanied by a detailed statement of the expenditures of the Commission of the United States to the International Exposition at Paris of 1900, from the date of the organization of the commission up to and including December 31, 1899, amounting to \$306,700.22.

The "place of residence" of the experts, clerks, officers, and employees, as requested by the resolution, is not stated, as this information is not disclosed by the pay rolls or other vouchers, but will be obtained from the Commissioner-General, and when received will be transmitted to the Senate.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,  
Washington, May 7, 1900.

#### SOUTH AFRICAN REPUBLICS.

Mr. GALLINGER. Has the morning business closed?

The PRESIDENT pro tempore. The morning business has closed.

Mr. GALLINGER. I ask unanimous consent for the present consideration of Senate bill 124.

Mr. HALE. Is there not a resolution that comes over from a former day?

The PRESIDENT pro tempore. The Chair lays before the Senate the following resolution:

The Secretary read the resolution submitted by Mr. TELLER on the 2d instant, as follows:

Whereas from the hour of achieving our independence as a people the people of the United States have regarded with sympathy the struggles of other people to free themselves from European domination: Therefore,  
Resolved, That we watch with deep and abiding interest the war between



Great Britain and the South African Republics, and, with full determination to maintain a proper neutrality between the contending forces, we can not withhold our sympathy from the struggling people of the Republics, and it is our earnest desire that the Government of the United States, by its friendly offices offered to both powers, may assist in bringing the war to a speedy conclusion in a manner honorable to both Great Britain and the African Republics.

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. GALLINGER. The bill for which I desire consideration will take but a moment.

Mr. TELLER. The Senator from Maine [Mr. HALE], who has the naval appropriation bill in charge, appeals to me to finish my remarks, so that we may get up the appropriation bill. I think, therefore, I had better go on.

The PRESIDENT pro tempore. The Senator from Colorado declines to yield.

Mr. TELLER. Senators can appeal to the Senator from Maine.

Mr. GALLINGER. Very well.

Mr. TELLER. Mr. President, I have not introduced the resolution which has just been read because there has been any lack of resolutions before this body. The junior Senator from Illinois [Mr. MASON] on the 6th of December last introduced a resolution of like import, and the Senator from South Dakota [Mr. PETTIGREW] on the 2d of February also introduced a resolution of like import. The resolution of the Senator from Illinois went to the Committee on Foreign Relations, where it has remained ever since. The resolution of the Senator from South Dakota was taken up, and a very decided majority voted to refer the resolution to the Committee on Foreign Relations, but there was not a quorum present, and therefore the resolution, as I believe, went to the Calendar.

Mr. President, I am notified that this resolution must go to the Committee on Foreign Relations. I have no objection to the resolution going to the Committee on Foreign Relations, because I think that, as a rule, is the proper form of procedure in this body; but with the certainty that it would share the fate of the resolution of the Senator from Illinois, I think I shall have something to say on it now, and not take the chances that it will come out of the committee.

This resolution is in the language of the plank of the Republican platform of 1896, which says:

From the hour of achieving their own independence the people of the United States have regarded with sympathy the struggles of other American peoples to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty. The Government of Spain, having lost control of Cuba, and being unable to protect the property or lives of resident American citizens, or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

Of course this resolution is not the same. We have sympathized not only with Americans struggling for independence, but with the people of other nations we have expressed our sympathy.

It is said we ought not to express our sympathy in this way. I do not know of any reason why we should not have the same liberty that we have had heretofore. I do not intend to take any great length of time in this discussion, and if I can have the attention of the Senate for a few minutes, I think I shall be able to conclude in a short time.

In 1821 Mr. Clay submitted for consideration the following resolution:

*Resolved*, That the House of Representatives participates with the people of the United States in the deep interest which they feel for the success of the Spanish provinces of South America which are struggling to establish their liberty and independence, and that it will give its constitutional support to the President of the United States whenever he may deem it expedient to recognize the sovereignty and independence of any of the said provinces.

That was discussed on various occasions. I shall not attempt to follow up the discussion, but I shall call attention very briefly to the discussion had in the House of Representatives at that time by Mr. Clay, and subsequently I desire to call the attention of the Senate to the discussion on the Greek resolution. There was some objection to this provision of that resolution:

It will give its constitutional support to the President of the United States whenever he may deem it expedient to recognize the sovereignty and independence of any of the said provinces.

There was some objection also to that resolution, such as is now made to this resolution, on the ground that it was a matter we have not the right to interest ourselves in.

The question arose as to the sentiment of the people of Mr. Clay's district, and he used this language, which I commend to the Senate:

As to the sentiments of the people on this subject, Mr. Clay said that was a matter of fact which each gentleman must determine for himself and vote accordingly. For his own part, he had no doubt what were the sentiments of his constituents on this subject; and, repeating a sentiment thrown out by Mr. Mercer, he said, if they did not entertain such sentiments, so help him God he would not represent them. If the matter of fact was certain, he could see no reason against avowing it.

There was a peculiar propriety, Mr. C. contended, in this House moving in this business, being the immediate representatives of the people, and the

cause of South America being that of the people, as being the cause of human liberty, etc. Mr. C. concluded by saying, if this proposition did not satisfy gentlemen, it was impossible for him to conceive in what shape a proposition on this subject could be placed so as that they could vote for it.

That resolution was adopted by the House of Representatives by a vote of 134 yeas to 13 nays. I want to say in reference to this resolution the same thing that was said in reference to that. If this resolution is objectionable to the Senate, then any resolution would be objectionable to the Senate. It was objected that the resolution of the Senator from South Dakota and the resolution of the Senator from Illinois used the words "against cruelty and oppression." There is nothing in this resolution that can offend the sensibilities of any nation in the world. It is strictly within the rule that has been laid down for many years in international law, which was recognized and emphasized at The Hague conference—the right of a government to intervene without waiting for a request from either party, although war might be flagrant. Such intervention was not to be considered as a hostile or unfriendly act.

We had that contest, Mr. President, not on this continent; and some who stick in the bark for an excuse to vote against this resolution will say, I suppose, because this struggle is on another continent we ought not to intervene. I desire to call the attention of the Senate to the conduct of this Government in 1824:

Mr. Clay offered the following, which he desired to lay on the table for consideration:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the people of these States would not see, without serious inquietude, any forcible interposition by the allied powers of Europe in behalf of Spain to reduce to their former subjection those parts of the continent of America which have proclaimed and established for themselves, respectively, independent governments and which have been solemnly recognized by the United States.

I do not intend to spend any time over that, as it is but a repetition of the other, but will turn to the Greek resolution, which was offered by Mr. Webster:

The House then went into Committee of the Whole, Mr. Taylor in the chair, on the resolution some time since offered by Mr. Webster, which is in the words following:

*Resolved*, That provision ought to be made by law for defraying the expense incident to the appointment of an agent or commissioner to Greece whenever the President shall deem it expedient to make such appointment.

At that time the Greeks were in rebellion against the Turkish Government. There was objection made then to any expression of sympathy, as objection is made now, and Mr. Webster said:

At the commencement of the present session of Congress the President of the United States, in the discharge of the high duties of his station, deemed it incumbent upon him to introduce the subject to the consideration of the National Legislature; and in his communication he had expressed an opinion that there was reason to hope that the Greeks would be successful in the present struggle with their oppressors, and that the power that has so long crushed them had lost its dominion over them forever.

This was President Monroe, who hoped for the success of the Greeks and said he hoped she might resume her station among the nations of the earth.

There are some Senators here who would be frightened out of their wits if the President of the United States had sent such a suggestion with reference to the Boers, and they insist now that not only is it not proper for a Senator or a Member of the House of Representatives to discuss this question, but I understand some members of the Administration insist that private citizens have not the right to express their opinions in favor of or to sympathize with the Boers.

Mr. LODGE. Would it not be well if the Senator should state—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. TELLER. Certainly.

Mr. LODGE. I should like to ask the Senator if he will state what became of the resolution introduced by Mr. Webster?

Mr. TELLER. It was not passed.

Mr. LODGE. It never was voted on.

Mr. TELLER. It never was voted on.

Mr. MASON. That was like the resolution I had the honor to offer. It went to the graveyard.

Mr. TELLER. Mr. Webster was a man who was supposed to fairly understand the courtesies and decencies that should govern a member of the House of Representatives or a member of this body with reference to international affairs. I shall, a little later on, call attention to the letter he wrote even in his more mature years, in which I think he used language that was perfectly proper, and yet I think it would be very startling to some Senators on this floor if they should hear from any Senator in this body such language as came from Mr. Webster as Secretary of State.

I think it would be instructive, and I think it would be interesting as well, to read all that Mr. Webster said; but in the haste we are making to secure an early adjournment, I do not feel like taking very much of the time of the Senate, especially as I feel that whatever may be said will meet what I suppose must be the political determination of one part of this body, at least, to sidetrack any expression from the Senate on this subject.



The age—  
Said he—

is a peculiar one; it has a marked and striking character, and the position and circumstances of our country are no less so. Had we enjoyed the option in which period of the world's history, as thus far disclosed, our personal lot should be cast, none of us, surely, would wish to have been born in any other time, or in any other country. There has occurred no age that may be compared with the present, whether in the interest excited by what now is, or the prospects it holds out as to what shall be. The attitude of the United States, meanwhile, is solemn and impressive. Ours is now the great Republic of the earth.

Mr. Webster made that statement in 1824. If we could call up the shade of Mr. Webster, as the distinguished Senator from Massachusetts [Mr. HOAR] did the other day, I think we might hear something about the obligations and something about the strength of this great nation and its right and power to speak freely on questions of this kind.

Ours is now the great Republic of the earth; its free institutions are matured by the experiment of half a century; nay, as a free government it goes further back—the benefits of a free constitution have virtually been enjoyed here for two centuries. As a free government, as the freest government, its growth and strength compel it, willing or unwilling, to stand forth to the contemplation of the world. We can not obscure ourselves if we would; a part we must take, honorable or dishonorable, in all that is done in the civilized world.

Mr. President, if that was true in 1824, what will be said of it to-day?

Now, it will not be denied that within the last ten years there has been agitated in that world a question of vast moment—a question pregnant with consequences favorable or unfavorable to the prevalence, nay, to the very existence, of civil liberty. It is a question which comes home to us. It calls on us for the expression of our opinion on the great question now before us.

Let me repeat, Mr. President:

We can not obscure ourselves if we would.

We can not do it to-day, Mr. President. If an expression of sympathy for the struggling Greeks was called for then, who, while perhaps they had a record which appeals with a little more force to the æsthetic sense of some people than does that of the struggling Boers, yet I mean to show in a few brief words, before I yield the floor, that the world is indebted infinitely more to the ancestors of these struggling Boers than it is to the Greeks, much as the Greeks did for civilization.

It is a question which comes home to us. It calls on us for the expression of our opinion on the great question now before us.

There was considerable discussion on this subject. I am not going to give it all, but I simply read enough to show that the claim that the Greeks had upon our sympathy was based on two reasons, as recognized by Mr. Webster: First, their ancestry and the sentiment which exists with every scholarly man who has had an opportunity to study the literature of that ancient people; and secondly, because the Greeks were struggling for freedom.

I want to read a portion of a letter which Mr. Webster wrote just before he passed off the stage of action. In that letter he uses language which in these days would be severely criticised, I presume, especially if it were used in the interest of a struggling people, a defeated people, a people who had made an unsuccessful effort for liberty, and whose leaders, or such of them as had not been executed, were in hiding—the Hungarians. I commend this letter to the members of the Senate who think that the American people ought to speak "with bated breath," who think, when we speak of sympathy with the struggling and heroic Boers, we ought to stop and take into consideration what it may cost us or what we may lose thereby. This letter was written to the Austrian Government.

The President of the United States had sent a messenger to Europe, had sent what may be called a diplomat to Europe, to determine what was the condition of the struggling Hungarians before Kossuth had been driven out of his native land. The Austrian Government complained of that, and in a letter written to our Government—a not overpolite and not overdiplomatic letter—this was the response—

Mr. DAVIS. Will the Senator from Colorado allow me?

Mr. TELLER. I will.

Mr. DAVIS. The objection in that case was to expressions contained in the President's message referring to Mr. Mann, who had been sent to Europe as our confidential agent during the rebellion in Hungary.

Mr. TELLER. The President had reported that he had sent Mr. Mann. Then came the objection; and the Austrian Government went even so far as to say that the President had no right to send Mr. Mann, and that Mr. Mann might have been treated as a spy; to which Mr. Webster replied, in substance, that if Mr. Mann had been treated as a spy they would have had to deal with the entire Army and Navy of the United States.

Mr. DAVIS. The controversy arose immediately on the fact that the Austrian minister complained of certain passages in the message of the President sent to Congress.

Mr. TELLER. But he also complained of the fact that the President had sent Mr. Mann. That is very apparent.

The undersigned will first observe that the President is persuaded His Majesty the Emperor of Austria does not think that the Government of the

United States ought to view with unconcern the extraordinary events which have occurred not only in his dominions, but in many other parts of Europe, since February, 1848.

The Government and people of the United States, like other intelligent governments and communities, take a lively interest in the movements and the events of this remarkable age, in whatever part of the world they may be exhibited. But the interest taken by the United States in those events has not proceeded from any disposition to depart from that neutrality toward foreign powers which is among the deepest principles and the most cherished traditions of the political history of the Union. It has been the necessary effect of the unexampled character of the events themselves, which could not fail to arrest the attention of the contemporary world, as they will doubtless fill a memorable page in history.

But the undersigned goes further and freely admits that in proportion as these extraordinary events appeared to have their origin in those great ideas of responsible and popular governments, on which the American constitutions themselves are wholly founded, they could not but command the warm sympathy of the people of this country.

Well-known circumstances in their history, indeed their whole history, have made them the representatives of purely popular principles of government. In this light they now stand before the world.

I do not know whether Mr. Webster could say that truthfully to-day. I doubt whether he could. I doubt very much whether to-day we are recognized as standing in that position.

They could not, if they would, conceal their character, their condition, or their destiny. They could not, if they so desired, shut out from the view of mankind the causes which have placed them, in so short a national career, in the station which they now hold among the civilized states of the world. They could not, if they desired it, suppress either the thoughts or the hopes which arise in men's minds in other countries from contemplating their successful example of free government.

Mr. President, I want to read a little on one point, which is Websterian, I think. It was American when he made it; it was the sentiment that every American statesman had; and he only said what the great body of the American people then believed and were not afraid to say:

The power of this Republic at the present moment is spread over a region one of the richest and most fertile on the globe, and of an extent in comparison with which the possessions of the house of Hapsburg are but as a patch on the earth's surface.

I suppose if that had been addressed to a foreign government in these days it would be charged that the Secretary of State was discourteous to another government. Speaking further, and later, Mr. Webster says:

Certainly, the United States may be pardoned, even by those who profess adherence to the principles of absolute governments, if they entertain an ardent affection for those popular forms of political organization which have so rapidly advanced their own prosperity and happiness, and enabled them, in so short a period, to bring their country and the hemisphere to which it belongs to the notice and respectful regard, not to say the admiration, of the civilized world. Nevertheless the United States have abstained, at all times, from acts of interference with the political changes of Europe. They can not, however, fail to cherish always a lively interest in the fortunes of nations struggling for institutions like their own.

If anybody can find anything in this resolution that Mr. Webster would not have approved of, I shall be quite willing to have it go to the Committee on Foreign Relations, to be smothered there, as it will be if it goes there.

Then he goes on to show that the Hungarians had even a better claim to the sympathy of the world than we had in our contest with Great Britain:

But when the United States behold the people of foreign countries without any such interference—

Meaning, of course, interference from us—

spontaneously moving toward the adoption of institutions like their own, it surely can not be expected of them to remain wholly indifferent spectators.

Speaking of some of the questions in controversy, he said:

Those questions will be discussed when they arise, and Mr. Hülsemann and the cabinet at Vienna may rest assured that in the meantime, while performing with strict and exact fidelity all their neutral duties, nothing will deter either the Government or the people of the United States from exercising, at their own discretion, the rights belonging to them as an independent nation and of forming and expressing their own opinions, freely and at all times, upon the great political events which may transpire among the civilized nations of the earth.

Their own institutions stand upon the broadest principles of civil liberty, and believing those principles and the fundamental laws in which they are embodied to be eminently favorable to the prosperity of states—to be, in fact, the only principles of government which meet the demands of the present enlightened age—the President has perceived with great satisfaction that, in the constitution recently introduced into the Austrian Empire, many of these great principles are recognized and applied, and he cherishes a sincere wish that they may produce the same happy effects throughout his Austrian Majesty's extensive dominions that they have done in the United States.

There is one other case where we expressed our opinion in favor of a struggling people, which I did not look up because it is so modern that it is familiar to everybody in the Senate. That was when the Secretary of State, Mr. Seward, notified the French Government that we could no longer be an uninterested spectator of the further landing of French troops on Mexican soil. We had then upon the Texas border 50,000 men. It is said, and I believe correctly, that the Executive Department in its sympathy for these struggling people had furnished to the people in arms against what was considered the recognized government by the most of the world 30,000 stands of arms to arm themselves in that contest.

A few years ago, while in the city of Pueblo, I went out to look at the battle ground where on the 5th of May, 1862, the untrained citizens of Mexico had met the trained warriors of Europe, and in



a hand to hand fight—like the Boers are making and like our ancestors made at Concord and at Lexington—had driven the French from their city. An intelligent Mexican stood by and pointed out to me the battle ground where the troops had maneuvered and where their men stood and where the French stood, and he gave me some of the details of the battle. He said, "But it was not the Mexicans who drove the French out of Mexico."

It was that declaration of Mr. Seward, coupled with the fact that he said "We recognize as the legal executive of Mexico, General Juarez." That he said ended the war. "That is what made it possible for us to defeat Maximilian, when the French took away their soldiers." The time has been and it has been up until now when we have not been afraid to say to the world "our sympathies go out to men struggling for liberty and freedom."

But it may be said, and I suppose will be said by those who oppose any action by the Senate, that these people are not struggling, they are in rebellion against the powers that exist over them; that the British Government sustains such a relation to the Boers that they have no right to resist their demands made on them. I do not mean to spend much time on that question. It has been pretty thoroughly considered and it has been pretty thoroughly discussed, and I can only repeat what some others have said before and said better than I can say it. But I desire to put into the RECORD, so that they may go with these brief remarks, my views upon this question.

Before I take that up I wish to say that I would myself consider it a hostile act to refer the resolution to the Committee on Foreign Relations unless the chairman of that committee shall assure the Senate that it shall be reported favorably or adversely to the Senate with such amendments as the Committee on Foreign Relations thinks ought to be made to it.

I am not going into any detailed history of these people, although it would be interesting to do so. Everybody understands the initial history, when these people went to Cape Colony as a Dutch settlement, stayed there until they were dominated by the English, and then moved on to the interior, and their history really begins, so far as we are concerned, with the act of 1852.

I read from a portion of that convention or treaty, whatever you may call it. Let me say that when the Boers trekked, as they say, or emigrated to this country, there was no claim made by Great Britain on this land. It was African land. Nobody was there to assert any opposition to these people except the Africans. Great Britain claimed no right to it. These people were not citizens of Great Britain. They had been denied citizenship, and they were escaping what they considered the tyranny of Great Britain. Now I wish to call attention to the status of these people. The treaty of 1852 provided:

The assistant commissioners guarantee in the fullest manner, on the part of the British Government, to the emigrant farmers beyond the Vaal River, the right to manage their own affairs and to govern themselves according to their own laws, without any interference on the part of the British Government, and that no encroachment shall be made by the said Government on the territory beyond, to the north of the Vaal River, with the further assurance that the warmest wish of the British Government is to promote peace, free trade, and friendly intercourse with the emigrant farmers now inhabiting or who may inhabit that country, it being understood that this system of noninterference is binding upon both parties.

That was the condition of these people till 1877, when an attempt was made contrary to the wishes of these people to incorporate them into the British Empire.

In 1877 the English commissioner declared that the Transvaal State was a part of the English territory; this without consulting the Boers; this in opposition to their wishes expressed in the most positive and open manner. This action of the commissioner was approved by the British Government in 1879, notwithstanding Mr. Gladstone declared it was done without the consent of the people. War followed this, and in 1881 another treaty was made. Now I call the attention of the Senate to the second article of that treaty:

ART. II. Her Majesty reserves to herself, her heirs and successors, (a) the right from time to time to appoint a British resident in and for the said State, with such duties and functions as are hereinafter defined; (b) the right to move troops through the said State in time of war, or in case of the apprehension of immediate war between the suzerain power and any foreign State or native tribe in South Africa; and (c) the control of the external relations of the said State, including the conclusion of treaties and the conduct of diplomatic intercourse with foreign powers, such intercourse to be carried on through Her Majesty's diplomatic and consular officers abroad.

Mr. President, if that was in force to-day it would not justify the action of the British Government in interfering with the affairs of the Transvaal Republic, but it is not now in force. The convention of 1884, after the war of 1880 and 1881, declared this:

It is hereby declared that the following articles of a new convention, signed on behalf, etc., shall, when ratified by the Volksraad of the South African Republic, be substituted for the articles embodied in the convention of the 3d of August, 1881; which latter, pending such ratification, shall continue in full force and effect.

Here is the article to which I desire to call the attention of the Senate:

ART. IV. The South African Republic will conclude no treaty or engagement with any state or nation other than the Orange Free State, nor with

any native tribe to the eastward or westward of the Republic, until the same has been approved by Her Majesty the Queen.

Such approval shall be considered to have been granted if Her Majesty's Government shall not, within six months after receiving a copy of such treaty (which shall be delivered to them immediately upon its completion), have notified that the conclusion of such treaty is in conflict with the interests of Great Britain or of any of Her Majesty's possessions in South Africa.

Mr. MASON. If I do not interrupt the Senator, I should like to state that in a conference in June of last year, lasting several days, between Kruger and Milner, representing the British Crown, taken in shorthand and reduced to writing in full, not one word of complaint was made by Great Britain that the Kruger government or the Boers had in any way violated an agreement by attempting to make agreements or treaties with other nations in violation of the agreement. I have read every word of it.

That is correct. Commissioner Milner never has taken that position publicly, at least, to the contrary.

Mr. TELLER. A correspondence arose, and Lord Derby, who was then authorized to speak for the British Government, said this:

By the omission of those articles of the convention of Pretoria which assigned to Her Majesty and to the British residents certain specific powers and functions connected with the internal government and the foreign relations of the Transvaal State, your government will be left free to govern the country without interference and to conduct its diplomatic intercourse and shape its foreign policy subject only to the requirement embodied in the fourth article of the new draft, that any treaty with a foreign state shall not have effect without the approval of the Queen.

While the term "suzerainty" was used, that is not the usual condition of a people who recognize the suzerain. Great Britain has made a contract with these people only that she might nullify any agreement that they might make with foreign powers if she saw fit, and expressly disclaimed, as you see by Lord Derby's statement, that there was to be any interference whatever in their local affairs.

In 1879 Mr. Gladstone, in making a speech at Midlothian complaining of what had been done, said:

They [the Conservatives] have annexed in Africa the Transvaal territory, inhabited by a free European Christian republican community, which they have thought proper to bring within the limits of a monarchy, although out of 8,000 persons in that Republic qualified to vote on the subject we are told, and I have never seen the statement officially contradicted, that 6,500 protested against it. These are the circumstances under which we undertake to transform republicans into subjects of a monarchy. \* \* \*

There is no strength to be added to your country by governing the Transvaal. The Transvaal is a country where we have chosen most unwisely—I am tempted to say insanely—to place ourselves in the strange predicament of the free subjects of a monarchy going to coerce the free subjects of a Republic, and to compel them to accept a citizenship which they decline and refuse. But if that is to be done, it must be done by force.

Mr. Gladstone also said at Leeds:

Under that convention we felt it our duty to take the best securities for the welfare of those native tribes, counted by hundreds of thousands, who inhabit the Transvaal, and toward whom we could not forget the responsibilities we had assumed. We provided that power should be retained for that purpose. We provided that the Crown should retain prerogatives, under the name of suzerainty, for the purpose of preventing the introduction of foreign embarrassments into South Africa, and we consented freely that, subject to certain minor conditions in relation to money, with which I need not trouble you, the Boers of the Transvaal should in all other respects enjoy perfect self-government and practical freedom and independence.

Later Mr. Gladstone arranged the new treaty with these people in 1884, in which the term "suzerainty" was left out entirely, and for thirteen years no claim whatever of that character was made by the British Government. She sent diplomatic agents there who were not in keeping with the claim of suzerainty. We recognized the independence of this Republic. We sent a diplomatic agent there, and we have one there to-day.

Mr. Chamberlain, speaking at Birmingham of the convention of 1881, said. I ask the attention of Senators to this, and I am going to read some other extracts from Mr. Chamberlain's speeches:

I ask your attention, in the first place, to the settlement we have made of the unfortunate war in the Transvaal.

You know that the great majority of the Boer inhabitants of the Transvaal are bitterly opposed to the British rule, and yet we are told that we ought to have persevered in wrongdoing after it was proved that the two grounds upon which the annexation was defended were fallacious and rested on no solid foundation, that we should still force our rule on an unwilling people, whose independence we had solemnly engaged by treaty to respect. \* \* \*

These men settled in the Transvaal in order to escape foreign rule. They left their homes in Natal as the English Puritans left England and went to the United States, and they founded a little Republic of their own in Africa.

In 1852 we made a treaty with them; they agreed to give up slavery and we agreed to respect and to guarantee their independence, and I say under these circumstances is it possible we could maintain a forcible annexation of the country without incurring the accusation of having been guilty, I will not say of national folly, but I say of national crime?

Mr. PLATT of Connecticut. When did Chamberlain say that?

Mr. TELLER. In 1881. I have a statement very much later than that. I do not believe that Senators who are afraid of hurting the sensibilities of Great Britain have given this question very much attention. It seems to me if they had they would not be quite so sensitive. In fact, I think the Senators who insist upon these resolutions going to the committee are a good deal more sensitive than Great Britain would be, for I find that in Great Britain they speak out in no uncertain terms, both in Parliament and out of Parliament.



Some of the most distinguished men in England are declaiming against this attempt to subdue the Boers. In May, 1881, Mr. Chamberlain said—I should like to have the Senate listen to this. I am not making this speech for the sake of making it. I wish to put before the Senate facts which it seems to me are of sufficient importance for the Senate to consider, considering what our duty is in the matter. Now, this is in the House of Commons:

In some quarters the idea is put forward that the Government ought to have issued an ultimatum to President Kruger, an ultimatum which would have certainly been rejected and which must have led to war. Sir, I do not propose to discuss such a contingency as that. A war in South Africa would be one of the most serious wars that could possibly be waged. It would be in the nature of a civil war; it would be a long war, a bitter war, and a costly war. It would leave behind it the embers of a strife which I believe generations would hardly be long enough to extinguish.

To go to war with President Kruger in order to force upon him reforms in the international affairs of his State, in which secretaries of state, standing in this place, have repudiated all right of interference—that would be a course of action as immoral as it would have been unwise.

If it was immoral in 1896, it was certainly immoral in 1899 and 1900. Again, he said in the House of Commons later:

I do not say that under the terms of the convention we are entitled to force reforms on President Kruger, but we are entitled to give him friendly counsel. \* \* \* If this friendly counsel was not well received, there was not the slightest intention on the part of Her Majesty's Government to press it. \* \* \* I am perfectly willing to withdraw it and to seek a different solution if it should not prove acceptable to the President. The rights of our action under the convention are limited to the offering of friendly counsel, in the rejection of which, if it is not accepted, we must be quite willing to acquiesce.

What becomes of the claim now of the right of Great Britain to determine what shall be the naturalization laws of the Boer country? In February, 1896, he said:

The answer that has hitherto been given, not on the part of the Government of the Transvaal, but on the part of some of its friends, was that to grant this request would be to commit suicide, inasmuch as the moment the majority got the franchise the first use they would make of it would be to turn out the existing Government of the Transvaal and substitute a government of their own liking. ["Hear, hear," and laughter.]

I confess I thought there was some reason in that objection. It is rather difficult to attempt to persuade anyone so capable as President Kruger that it would be desirable that he should proceed to his own extinction, and accordingly I brought before him an alternative suggestion which, at all events, would relieve him from that difficulty. \* \* \* The question is whether President Kruger will consider that that proposal will endanger the security of the Transvaal Government. If he does, he will be perfectly justified in rejecting it.

Again he said, even later than that, when he was replying to a member of Parliament:

What is the policy which the honorable gentleman would put forward if he were standing here in my place? We know what it would be. He would send, in the first place, an ultimatum to President Kruger, that unless the reforms which he was specifying were granted by a particular date, the British Government would interfere by force. Then, I suppose, he would come here and ask this House for a vote of £10,000,000 or £20,000,000—it does not matter particularly which [laughter]—and would send an army of 10,000 men, at the very least—to force President Kruger to grant reforms in regard to which not only this Government but successive secretaries of state have pledged themselves repeatedly that they would have nothing to do with internal affairs. That is the policy of the honorable gentleman. That is not my policy.

They will have 300,000 soldiers in the field before they get through.

Mr. President, that is his policy to-day. He said again:

We are constantly reminded of the fact that our Dutch fellow-citizens are in a majority in South Africa, and I think I may say for myself, as for my predecessor, that we are prepared to go as far as Dutch sentiment will support us.

A recognition of their right of self-government, their right to determine these questions for themselves.

It is a very serious thing—a matter involving most serious considerations—if we are asked to go to war in opposition to Dutch sentiment.

Mr. GALLINGER. Is the Senator reading from Mr. Chamberlain?

Mr. TELLER. I am reading from Mr. Chamberlain.

I will ask to put in the RECORD a statement made in his work *Men, Mines, and Animals in South Africa*, by Lord Randolph Churchill, a Conservative, in reference to this question. I do not desire to take up too much of the time of the Senate.

The surrender of the Transvaal and the peace concluded by Mr. Gladstone with the victors of Majuba Hill were at the time, and still are, the object of sharp criticism and bitter denunciation from many politicians at home, quorum pars parva fuit. Better and more precise information, combined with cool reflection, leads me to the conclusion that had the British Government of that day taken advantage of its strong military position and annihilated, as it could easily have done, the Boer forces, it would have indeed regained the Transvaal, but it might have lost the Cape Colony.

The Dutch sentiment in the colony had been so exasperated by what it considered to be the unjust, faithless, and arbitrary policy pursued toward the free Dutchmen of the Transvaal by Sir Bartle Frere, Sir Theophilus Shepstone, and Sir Owen Lanyon that the final triumph of the British arms merely by brute force would have permanently and hopelessly alienated it from Great Britain. Parliamentary government in a country where the Dutch control the Parliament would have become impossible, and without parliamentary government Cape Colony would be ungovernable.

The actual magnanimity of the peace with the Boers concluded by Mr. Gladstone's ministry, after two humiliating military reverses suffered by the arms under their control, became plainly apparent to the just and sensible mind of the Dutch Cape Colonist, atoned for much of past grievance, and demonstrated the total absence in the English mind of any hostility or unfriendliness to the Dutch race. Concord between Dutch and English in the

Colony from that moment became possible, and that concord the government of Mr. Rhodes inaugurated and has since to all appearances firmly riveted.

I have copied from a magazine article what I have no doubt is a correct statement of a declaration made by Mr. Frederic Harrison in his address to Lord Salisbury criticising Chamberlain's policy, found in the October, 1899, Review. I ask leave to put it in. I presume every Senator has read it. I will read it if any Senator thinks it necessary. I wish to put in in brief form some facts which may be considered if anybody has a desire to consider them.

Mr. Frederic Harrison, in an address to Lord Salisbury criticising Chamberlain's policy, said:

"No legal quibbling about suzerainty can persuade us that the South African Republic is a part of the Empire. If it is not part of the Empire, it must be a foreign state, even though it be one over which by agreement Great Britain has some control. But this control is solely concerned with the external, not with the internal, relations of the Republic. The point in dispute solely relates to the internal relations of the Transvaal. No one pretends that the dispute concerns the dealings of the Republic with foreign nations. Therefore the cause of war, if war there is to be, arises from matters between Great Britain and the home affairs of a Republic which is not within the Empire, not within the dominions of the Queen."

One of the leading London weeklies, in summing up the whole British case against Kruger, made the following editorial declaration:

"Where nations are concerned the only rights are the rights of strength, or ability, and of success. These qualities we believe to be those of the British Empire at present, and we mean to make them manifest in South Africa. As practical men, we see that the development of an immense portion of the globe lies in our hands, and in our hands alone, and we shall admit of no obstacles in our path. The Boer may stand against us for a moment, but only to be swept into oblivion. For us, too, in other days may come annihilation and defeat, but in the meanwhile we are the paramount power, and no man shall deny it."—*October Review of Reviews*, 1899, page 389.

Mr. Harrison, commenting on the position of the British Government in his address to the prime minister, said in part as follows:

"Measured by the compromises with foreign nations which you may justly claim to have brought to a successful issue, the concessions already accepted by the Republic are indeed decisive. From nine years to seven years, from seven to five years, from one demand of the Uitlanders to another, the Boers have given way. They have already conceded the whole of the original demand made on them, and have even added more. And at every fresh concession Sir Alfred Milner is instructed to make further demands, until throughout the Transvaal, and, we may add, at home, the impression prevails that it is not concession of claims which is sought from the Republic, but submission, humiliation, and loss of independence."

"Is this how negotiations have been carried on when you, my lord, as head of the foreign office, have dealt with Russia, Turkey, France, or the United States? This is not negotiation. It is war—war of naked aggression; war wherein the Boers will not yield without a desperate struggle and after bloody combats; a war which can not be closed by a few victories nor the traces of it wiped out by a few promises or proclamations; a war wherein many true and patriotic Englishmen devoutly trust that the Boers may not be ultimately crushed."—*October Review of Reviews*, page 389.

Mr. President, I wish to say a few words in reference to the character of the people over there. When this war broke out not only were the English papers full of charges against these people, but so were our own. They were so similar in character that it was very apparent to every man of common sense that they originated from the same source. They were not the spontaneous expressions of a people who knew those people.

They were false in almost every particular. The statement was made, in the first place, that they were uncultivated, uncivilized, and nonprogressive as a race; secondly, that they had lived so long in that frontier country that they had become degraded; and it was said in many of the English papers that there was fear that if a war broke out there would be great violence; that they would kill the wounded and fail to recognize the principles of international law. In the early part of the war the English papers were full of declarations that they had fired on the white flag.

Mr. President, those are not the men who lift the white flag often, and they are the men who understand what belongs to them when they do lift it. Every Englishman that I know of who has written and who has been in the English army and has come in contact with them since the war began testifies, without a single exception, to their gentleness, to their kindness, and to their interest in the wounded and their efforts for the amelioration of the hardships of war.

I believe there are two Americans who have recently written slanderous reports, who have not been near the Boers, who have gone with the English army, and who know nothing about the Boers. Against them I will set the statements of the correspondents of all the great English papers in England, who are in union in saying that there has been no violation on the part of these Dutchmen of the principles of international law.

Now, Mr. President, Webster spoke of the sympathy that we must naturally feel for the Greeks and appealed to what the Greeks had done for civilization, what they had done for art, what they had done for humanity. I said that the ancestors of the struggling Boers have done more for humanity than ever the Greeks did. They have done as much as ever the Greeks did for art, for philosophy, for science, and more for religion.

The struggling Boers, who have been away from the land of their ancestors, some of them for generations, who represent people who went two hundred years ago into Africa, some of them less, have an ancestry such as no people in the world can boast of better. They are the people of whom Tacitus said, "Other people go to battle; these people go to war."

They were the people whom Cæsar could not conquer. They



were the allies of Rome, but they were never its vassals. No Roman collector was ever allowed to put his foot upon their soil. They collected their own revenues. They stood as allies of Cæsar and other Romans. At Pharsalia history records the fact that that victory, that gained so much renown for Roman arms, was won by the Batavians, the ancestors of these Boers.

Mr. President, the Dutch people are composed of all the elements that have gone to make up manhood. There were Frisians, Flemish, Normans, Saxons, and Gauls. One of the most distinguished of American diplomats and writers, Mr. Motley, has brought these people before the world by his *History of the Rise of the Dutch Republic*, by his *History of the Netherlands*, and by his *Life of John Barneveld*. He bears testimony to the valor and the wisdom of those people. Mr. Motley winds up by saying:

In this sketch of the course of development of the Netherlands nation during sixteen centuries we have seen it ever marked by one prevailing characteristic, one master passion—love of liberty and the instinct of self-government.

Yes, love of liberty and the instinct of self-government, great traits of character.

Mr. President, when the world was practically in darkness there is where the torch of liberty was held up; there is where the right to express opinion upon religious subjects and all others was maintained by arms. They were the people, Mr. President, who for more than forty years faced the greatest power of the earth, and when they were likely to be overwhelmed by the great numbers—sometimes 16 Spanish soldiers and Spanish hirelings on their soil where they could put 1 native under arms—when they could not meet them on an equality in numbers, they called on the cruel sea and let it in upon their pastures, their fields, their towns, and their homes, rather than submit to the domination of the power of Spain.

Cicero once said that life and the possession of property are better than liberty. The Dutchman from the earliest day to this has said there is nothing that equals liberty; that life and property are of no concern if liberty is denied to us.

Mr. President, the ancestors of those people were the most cultivated people in Europe from the year 1500 until 1775, and they would have been, perhaps, to-day if their country had not been the battlefield of the world. It was there that arts and science in modern times had their start. They have put out to the world more useful inventions than any people in the world save our own.

It was this nation that taught Great Britain the arts of peace and civilization, and when Great Britain forgot the great fundamental principles of British law and denied to her people the right of religious belief Holland opened her cities and encouraged those people to come there and assisted them in maintaining themselves. She opened them also when the King of France was murdering his citizens because they were not of his faith. The French citizens went there, and to-day if you take the Boer catalogue of names, you will find men bearing the most illustrious names of the Netherlands and of French history, descendants of the men who fought Spain and who sometimes were compelled to fight France and sometimes compelled to fight England in defense of liberty and freedom.

Mr. President, in the belief of many if it had not been for the sturdy Dutchmen of 1560 and upward Spain would have overrun the world and would have dominated not the political world only but the mental and the moral as well. These are the descendants of the people who stood forth for nearly eighty years contending with the wicked efforts of monarchs to destroy liberty, and who finally established it. They have given to the world one of the most illustrious examples. There has been frequently a comparison drawn between Prince William of Orange and our President who suffered death by assassination, Abraham Lincoln. When everything looked in Europe as if the domination of Spain was absolutely impossible to avoid, this distinguished Dutchman put his fortune and his life in the scale and finally paid the penalty of his efforts by being assassinated by the hirelings of the Spanish power.

Mr. President, to say that a people with such an ancestry, a people with such a history, are nonprogressive is not true. The Boers are the most religious people of the world. A people who go into battle with prayer and come out of it singing praises to the Almighty if it is a victory, and praises if it is a defeat that it is not any worse, are not a people to be spoken of lightly or contemptuously by anyone.

Mr. President, their situation appeals to us. The precedents, as I have shown, are in the line of a declaration of our sympathy with them.

I have said nothing, Mr. President, unkindly of Great Britain, and I do not intend to do so except to say that I believe the better sentiment of Great Britain is against the war. I believe that if that great and noble woman who has presided over that power for so many years had had her way, there would have been no war. I do not wonder that it is said that in her chamber she weeps. It is enough to make the hardest heart weep to see those people

struggling for their liberty, a little weak people struggling with a great nation representing 400,000,000 people, with a war array against them greater than the men, women, and children of the Transvaal Republic.

Mr. President, who can deny them sympathy? If it is said they brought on the war, I deny it. They made overtures to Great Britain that were generous and beyond what should have been demanded. Great Britain declined. It is said now that if they had not gone to war, Great Britain intended to accept their propositions. They offered to make their law of naturalization what ours is—five years. Great Britain declined.

Oh, Mr. President, there were gold and diamonds that Great Britain wanted. Great Britain, so say the best Englishmen of that country, is in the wrong. Is there anybody here, after hearing what Chamberlain said, who does not know that they were in the wrong?

Why, Mr. President, should we be afraid to say they are in the wrong? Will Great Britain take offense? If she does, Mr. President, does that relieve us of the duty that Webster said was upon us? Is it because we have a contest on our hands? There is but little resemblance between the two, and if there was we still ought to extend our sympathy to those struggling people. It costs but little for us; it is a great thing for them.

If they shall go down in defeat, and if they shall be obliterated from the map of nations, if they shall be brought under the dominating power of Great Britain, and their liberty taken from them, as it is now declared it will be, I do not believe the American people will feel that it is a proud chapter in our history that we were so cowardly that we dared not even say, "We wish it may not be done."

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2355) in relation to the suppression of insurrection in, and to the government of, the Philippine Islands, ceded by Spain to the United States by the treaty concluded at Paris on the 10th day of December, 1898.

Mr. HALE. I intended to submit some brief remarks on the resolution of the Senator from Colorado, but I am very desirous that the naval appropriation bill shall be proceeded with, and I ask unanimous consent that the Senator's resolution may lie on the table.

The PRESIDENT pro tempore. The Senator from Maine asks that the resolution presented by the Senator from Colorado shall retain its place on the table. Is there objection? The Chair hears none.

Mr. TELLER. What was the motion?

Mr. HALE. I asked that your resolution might lie on the table informally.

Mr. TELLER. That it retain its place?

Mr. HALE. That it retain its place. I ask that the unfinished business, 2 o'clock having arrived, be laid aside informally, in order that I may move to take up the naval appropriation bill.

The PRESIDENT pro tempore. The Senator from Maine asks that the unfinished business be temporarily laid aside, that the Senate may proceed to the consideration of the naval appropriation bill. Is there objection? The Chair hears none.

Mr. TILLMAN. Mr. President—

Mr. HALE. Now I ask that the naval appropriation bill be laid before the Senate.

The PRESIDENT pro tempore. The Senator from Maine asks that the Senate proceed to the consideration of the naval appropriation bill. Is there objection? The Chair hears none.

Mr. HALE. There are one or two brief matters that I have agreed to yield to before going on with the naval appropriation bill. I yield first to the Senator from Illinois [Mr. MASON].

#### SURVEY OF THE ILLINOIS RIVER.

Mr. MASON. I ask leave to call up the joint resolution (S. R. 107) to provide for a survey of the Illinois River. It is a joint resolution reported by the Committee on Commerce. It is very short, and there will be no objection to it. It involves no appropriation.

The Secretary read the joint resolution, and, by unanimous consent, the Senate as in Committee of the Whole proceeded to its consideration. It directs the board of three engineers appointed by the Secretary of War in pursuance of a paragraph in "An act making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1899, to make a survey and estimates of cost of the improvement of the Upper Illinois River and the Lower Des Plaines River in Illinois, with a view to the extension of navigation from the Illinois River to Lake Michigan, at or near the city of Chicago; further, to report the estimates of cost for a channel 10 feet deep, and for a channel 12 feet deep, and for a channel 14 feet deep, through the proposed route, and provides that the estimates shall cover and include a proper connection at

Lockport with the sanitary and ship canal which has been constructed by the sanitary district of Chicago. The board of engineers is also further authorized and required to make a survey and estimate of cost for the improvement of the Lower Illinois River from the end of the proposed route to the mouth of the river for channels 10, 12, and 14 feet deep, respectively, and to report the estimates of cost thereof. The surveys and estimates of cost shall be made in pursuance of the provisions contained in the act aforesaid, and the expense for making the reports required by this joint resolution shall be paid out of the appropriation of \$30,000 contained in the paragraph of the act aforesaid.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PRIVATE CONDUITS IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from New Hampshire?

Mr. HALE. I yield to the Senator.

Mr. GALLINGER. I ask the Senate to proceed to the consideration of the bill (S. 124) regulating permits for private conduits in the District of Columbia. I will say that this bill is recommended by the District Commissioners and has the unanimous approval of the Committee on the District of Columbia.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That the Commissioners of the District of Columbia be, and they are hereby, authorized to grant permission to lay conduits for the transmission of electric power and pipes for the transmission of steam in alleys in the District of Columbia, under the following conditions, namely:

The conduits or pipes shall be laid entirely within a square or block, and shall not cross or enter any avenue, street, or highway.

The conduits and pipes shall be located as directed by said Commissioners and be laid under their inspection; and the cost of such inspection, together with the cost of replacing all improved pavements disturbed in connection with said work, shall be paid in advance by the party desiring to lay said conduits or steam pipes.

The conduits or pipes shall be used only to connect the premises owned and operated by the permittee, and no power or steam shall be supplied therefrom for any other purpose than the use of the permittee.

The permittee shall not rent the conduit or pipe or any portion thereof. SEC. 2. That on violation of any of the above provisions or restrictions, the said Commissioners shall require the permittee, after thirty days' notice, to abandon the use of said conduits or pipes and remove them from the alley or alleys in which they are located, and if said permittee shall neglect or refuse to remove said conduits or pipes and place the surface of the alley in good condition within sixty days after the date of said notice, the said permittee shall be deemed guilty of a misdemeanor, and shall be liable to a fine of \$10 for each and every day that said conduits or pipes are allowed to remain in the alley, or the said alley shall remain out of repair, which fine shall be recovered in the police court of said District, in the name of said District, as other fines and penalties are now recovered in said court.

SEC. 3. That Congress reserves the right to alter, amend, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CHIPPEWA INDIAN COMMISSIONER.

Mr. NELSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Minnesota?

Mr. HALE. I suppose there will be no debate. How long will it take?

Mr. NELSON. I ask unanimous consent to call up Senate bill 4462.

Mr. HALE. It will give rise to no debate?

Mr. NELSON. No; there will be no debate.

Mr. HALE. Very well.

Mr. NELSON. It is a bill relating to the Chippewa Indian Commissioner. It is to cut down his salary one-half.

The Secretary read the bill (S. 4462) to amend an act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes," approved June 10, 1896.

Mr. COCKRELL. Is there a report in that case?

Mr. HALE. I shall object if the reading of the report is called for.

Mr. NELSON. The bill has been reported from the Committee on Indian Affairs. There is no objection to it. There is no call for the reading of the report, I understand.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to amend the act so as to read:

And the duties imposed upon the three commissioners appointed under the provisions of the act of Congress of January 14 1889, shall, from and after the passage of this act, be performed by one commissioner, to be desig-

nated by the Secretary of the Interior; and said commissioner shall be entitled to a compensation of \$5 per day for each day actually employed in the discharge of his duties and his actual and necessary traveling expenses and board, not exceeding \$3 per day; and the powers of said commissioner shall cease and terminate on October 1, 1900.

Mr. NELSON. I move to strike out, at the end of the bill, the following words:

And the powers of said commissioner shall cease and terminate on October 1, 1900.

That clause was put in through a misapprehension.

Mr. RAWLINS. That provision was inserted by the Committee on Indian Affairs, without which the bill would not have been favorably reported.

Mr. NELSON. If there is objection to it, I will leave it in. I withdraw the amendment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FORT FETTERMAN RESERVATION LANDS.

Mr. CLARK of Wyoming. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Wyoming?

Mr. HALE. How many bills has the Senator that he wants to get through?

Mr. CLARK of Wyoming. Only one. It is a very short one, a local bill.

Mr. HALE. It will give rise to no debate?

Mr. CLARK of Wyoming. It will give rise to no debate, I hope. It ought not to do so.

Mr. HALE. I will let it go through.

Mr. CLARK of Wyoming. I ask unanimous consent for the present consideration of the bill (S. 323) granting homesteaders on abandoned military reservations the right to enter one quarter section of public land on said reservations as pasture or grazing land.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and to insert:

That each person who has exercised the right of homestead entry on the abandoned Fort Fetterman Reservation in the State of Wyoming shall, upon proper proof of settlement and homestead upon land covered by said entry, be entitled to the preference right to enter, under such rules and regulations as the Secretary of the Interior may prescribe, or to purchase, at such prices and upon such terms as the Secretary of the Interior may determine, one quarter section of the public lands on said reservation as pasture or grazing land not otherwise disposed of: *Provided*, That land so entered and granted be unfitted for cultivation and homestead entry by reason of lack of water for irrigating purposes or otherwise: *And provided further*, That said entry of pasture or grazing land shall not, with the land heretofore entered by the applicant, exceed in the aggregate 320 acres.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting homesteaders on the abandoned Fort Fetterman Military Reservation in Wyoming the right to enter one quarter section of public land on said reservation as pasture or grazing land."

#### DURHAM, N. C., A PORT OF DELIVERY.

Mr. PRITCHARD. Will the Senator from Maine yield to me?

Mr. HALE. Has the Senator a short bill?

Mr. PRITCHARD. Yes, sir; it is simply to constitute Durham, N. C., a port of delivery.

Mr. HALE. There will be no debate?

Mr. PRITCHARD. No, sir.

Mr. HALE. After that is disposed of I must insist on going on with the appropriation bill. Let me say to Senators who are seeking to pass other bills that they will have ample opportunity after the naval bill shall be finished, because I do not think the Committee on Appropriations will have any other bill ready to report under perhaps a week. So there will be time for all other bills and other questions to come up.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent for the present consideration of a bill, which will be read in full for the information of the Senate.

The Secretary read the bill (S. 4291) to constitute Durham, N. C., a port of delivery in the customs collection district of Pamlico, and to extend the privileges of the seventh section of the act of Congress approved June 10, 1880, to said port; and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ISSUANCE OF DUPLICATE CHECK TO H. P. MYTON.

Mr. FAIRBANKS. Will the Senator from Maine yield to me for a moment to enable me to have a small bill considered, which



it is necessary should be passed promptly in order that it may get to the other House?

Mr. HALE. I will yield for a moment; but after that I must insist on going on with the naval appropriation bill.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (S. 2245) directing the issue of a duplicate of a lost check drawn by William H. Comegys, major and paymaster, United States Army, in favor of George P. White.

The PRESIDENT pro tempore. The bill will be read to the Senate in full for information.

The Secretary read the bill, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Finance with an amendment, to strike out all after the enacting clause and insert:

That William H. Comegys, major and paymaster, United States Army, be, and he is hereby, authorized and instructed to issue to Howell P. Myton a duplicate of an original check issued by said William H. Comegys on the 23d day of February, 1899, No. 996555, upon the assistant treasurer of the United States at New York City, N. Y., in favor of George P. White, lieutenant, Ninth Cavalry, for the sum of \$3,273, in payment of final statements of discharged soldiers, which original check was subsequently indorsed by said George P. White over to said Howell P. Myton, United States Indian agent at White-rocks Agency, White-rocks, Utah, and is alleged to have been lost in transmission through the United States mails: *Provided*, That such duplicate check shall be issued under such regulations in regard to its issue and payment as have been prescribed by the Secretary of the Treasury for the issue of duplicate checks under the provisions of section 3646, Revised Statutes of the United States, including an adequate bond of indemnity.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was rejected.

#### NAVAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with and that the bill be read for amendment, the committee amendments to first receive consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maine? The Chair hears none, and it will be so ordered.

The Secretary proceeded to read the bill, and continued the reading to the provision for "Pay, miscellaneous," on page 2, line 20.

Mr. PERKINS. With the consent of the chairman of the committee, I will offer an amendment at this point, which comes in properly here, it having been agreed to by the committee.

The PRESIDENT pro tempore. The Senator from California offers an amendment, which will be stated.

The SECRETARY. On page 2, line 22, after the word "exchange," it is proposed to strike out "mileage to officers while traveling under orders in the United States, and transportation of baggage allowed by regulations, and for actual personal expenses of officers while traveling abroad under orders."

Mr. HALE. The Senator from California has another amendment, to insert certain words at the end of the clause.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. At the end of the clause on page 3, line 22, after the word "dollars," it is proposed to insert:

*Provided*, That in lieu of traveling expenses and all allowances whatsoever connected therewith, including transportation of baggage, officers of the Navy traveling from point to point within the United States under orders shall hereafter receive mileage at the rate of 8 cents per mile, distance to be computed by the shortest usually traveled route; but in cases where orders are given for travel to be performed repeatedly between two or more places in the same vicinity the Secretary of the Navy may, in his discretion, direct that actual and necessary expenses only be allowed. Actual expenses only shall be paid for travel under orders without the continental limits of the United States.

Mr. COCKRELL. How will the first part of the clause read with the words which have been read stricken out?

Mr. PERKINS. I will state for the information of the Senator from Missouri that this simply allows 1 cent more per mile for traveling expenses of naval officers. Nothing is allowed them for excess of baggage. Heretofore it has been the custom to allow naval officers the bills which they have paid to transportation companies for extra baggage. This made complications in the accounts, and frequently delayed officers while en route from one station to another. The Paymaster-General, the Secretary of the Navy, and the Department are very desirous that this amendment be adopted, as it will really save the Government more than they are now paying.

The other provision is that only actual expenses shall be allowed between stations. As, for instance, where an officer is detailed to the Bethlehem works, the Carnegie works, or to some navy-yard, for the purpose of superintending the construction of ships or armor plate, he is only paid his actual expenses. The amendment

makes no changes in the existing law, except that it gives the officers 1 cent more per mile than they are now receiving; but this additional allowance will not amount to as much in the aggregate as does the allowance now given them for excess of baggage. They must pay for that out of this extra cent per mile for travel which is allowed.

Mr. COCKRELL. What change does the amendment make in regard to traveling between our island possessions? Are they considered part of the United States or are they treated differently?

Mr. PERKINS. That is a constitutional question. The officers are only paid their actual expenses while away from the United States.

The PRESIDENT pro tempore. The question is on the amendment.

Mr. CHANDLER. I ask to have the amendment again read.

The PRESIDENT pro tempore. The amendment will be again stated.

Mr. COCKRELL. I did not catch what was proposed to be stricken out, and I ask that those words also be read.

The PRESIDENT pro tempore. The amendment of the Senator from California will be again stated.

The SECRETARY. On page 2, line 22, after the word "exchange," it is proposed to strike out "mileage to officers while traveling under orders in the United States, and transportation of baggage allowed by regulations, and for actual personal expenses of officers while traveling abroad under orders."

Mr. HALE. And the other amendment is to insert additional words at the end of the paragraph.

The PRESIDENT pro tempore. The question is on agreeing to the amendment which has been read.

Mr. ALLISON. I should like to have it read again.

The PRESIDENT pro tempore. The first amendment submitted by the Senator from California has just been stated. There are two amendments proposed by the Senator from California. One is to strike out the words which have just been read at one place in the bill and the other is to insert words at the end of the clause in line 22, on page 3.

Mr. CHANDLER. If the Senate concludes to adopt the latter amendment, I might be willing to have the words which have been read stricken out; but if the Senate does not adopt the other amendment I do not want those words stricken out. I understood the motion to be to strike out and insert.

The PRESIDENT pro tempore. No. The first amendment was to strike out the words which have been read. The Secretary will now read the second amendment proposed by the Senator from California.

The SECRETARY. On page 3, line 22, after the word "dollars," it is proposed to insert:

*Provided*, That in lieu of traveling expenses and all allowances whatsoever connected therewith, including transportation of baggage, officers of the Navy traveling from point to point within the United States under orders shall hereafter receive mileage at the rate of 8 cents per mile, distance to be computed by the shortest usually traveled route; but in cases where orders are given for travel to be performed repeatedly between two or more places in the same vicinity, the Secretary of the Navy may, in his discretion, direct that actual and necessary expenses only be allowed. Actual expenses only shall be paid for travel under orders without the continental limits of the United States.

Mr. CHANDLER. Mr. President, I understand the Senator from California to say that the only substantial change from existing law is an increase of travel pay from 7 cents to 8 cents per mile.

Mr. PERKINS. Yes.

Mr. COCKRELL. What is meant by the last words of the amendment—"without the continental limits of the United States?" I desire to have those read again.

The Secretary read as follows:

Actual expenses only shall be paid for travel under orders without the continental limits of the United States.

Mr. TILLMAN. For the purpose of clarifying the amendment, I move to insert "outside of North America." I presume that is what is intended. Will the Senator accept that?

Mr. PERKINS. That amendment was prepared by the Navy Department, and I should not question the language. I am not at all technical myself. The only object I have in view is to save the Government a sum of money by the adoption of this amendment, and at the same time expedite the business of the Department. Special dispatches have been delayed owing to the fact that the excess baggage of naval officers had been sent by freight instead of being taken as excess baggage, and they have been required to wait until the arrival of their baggage, which of course embraces their official uniforms and other necessary accouterments, which they must take with them. This amendment compels them to pay for their excess baggage out of the 1 cent more allowed them for mileage. So I think there can be no possible objection to the adoption of the amendment, as it certainly is in the interest of economy.

Mr. TILLMAN. We are not objecting to the amendment. We

are only trying to make it mean what the Senator says it is intended to mean.

Mr. HALE. The words referred to, if they mean anything, mean outside of the United States as a whole.

Mr. TILLMAN. What are the United States?

Mr. HALE. All the different States and Territories that are comprehended in the territory of North America.

Mr. TILLMAN. Then let us say "North America," and then there can be no dispute about it.

Mr. HALE. I have no objection to that at all. That is what the language means now.

Mr. TILLMAN. If the Senator will accept that and say "without the limits of North America," it will be satisfactory.

Mr. HALE. I suggest to insert the word "outside" instead of the word "without;" so as to read "outside the limits of the United States in North America."

Mr. COCKRELL. That will settle it.

Mr. PERKINS. I should like to ask the chairman of the committee how that would affect one of the attachés of the Navy detailed for service in connection with one of our foreign ambassadorships?

Mr. HALE. I do not know. With the modification it will mean just what it means now, except that it is made more specific; it is what the Senator from South Carolina calls "clarifying the amendment." I do not know how it would affect my friend's attaché, and I do not much care.

The PRESIDENT pro tempore. The question is on the amendment, which has been read, striking out all after the word "exchange," in line 22, to and including the word "orders," in line 25.

The amendment was agreed to.

The PRESIDENT pro tempore. The question now is on the second amendment offered by the Senator from California [Mr. PERKINS] as modified by the Senator from Maine [Mr. HALE].

The amendment as modified was agreed to.

The reading of the bill was resumed. The first amendment reported by the Committee on Naval Affairs was, on page 4, after line 11, to strike out:

#### EMERGENCY FUND, NAVY DEPARTMENT.

To meet unforeseen contingencies for the maintenance of the Navy constantly arising, to be expended at the discretion of the President, \$500,000.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Ordnance," on page 9, line 20, before the word "for," to insert "and;" and in the same line, after the word "practice," to strike out "and for increasing the efficiency of the Ordnance Department;" so as make the clause read:

Ordnance and ordnance stores: For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work of the Ordnance Department; for watchmen at magazines; for furniture in ordnance buildings at navy-yards and stations; for maintenance of the proving ground and powder factory; and for target practice, \$500,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 24, to insert:

To enable the Secretary of the Navy, in his discretion, to purchase from the Gathmann Torpedo Gun Company, of Chicago, Ill., the gun equipment for one or more of the harbor-defense monitors authorized by the act approved May 4, 1898; such equipment to consist of two guns for each vessel of not less than 16-inch bore and not less than 40 feet in length, capable of throwing the Gathmann type of shell containing about 500 pounds of wet gun cotton; said guns to cost each not more than \$32,500, and the workmanship and material to be equal to the present standard now used in the Navy and subject to the usual inspection of the Bureau of Ordnance, \$250,000, or so much thereof as may be necessary.

Mr. TILLMAN. I direct the attention of the chairman of the committee to the amendment at the bottom of page 9 and top of page 10. I was not in the committee when this amendment was offered and adopted, and I should like to have time to examine it more fully. I hope he will let it go over until to-morrow.

Mr. COCKRELL. I hope so, too.

Mr. HALE. Have the amendments in line 20 and 21 been adopted?

The PRESIDENT pro tempore. They have been.

Mr. HALE. Then let the amendment which begins in line 25, at the bottom of page 9, covering half of the next page, be passed over for the present at the request of Senators.

The PRESIDENT pro tempore. It will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Naval Affairs was, on page 11, line 2, before the word "navy-yard," to insert "Norfolk;" and in the same line, before the word "five," to strike out "Norfolk;" so as to make the clause read:

For new watchmen's quarters and inclosure fence for gun park at St. Helena, Norfolk Navy-Yard, \$5,500.

The amendment was agreed to.

The next amendment was, on page 16, line 12, to increase the appropriation for special ocean surveys and the publication thereof from \$10,000 to \$100,000.

Mr. HALE. I offer the amendment I send to the desk. It is a correction of the language.

The PRESIDENT pro tempore. The Senator from Maine offers an amendment, which will be stated.

The SECRETARY. On page 16, it is proposed to amend the amendment by striking out lines 11 and 12 and inserting in lieu thereof the following:

Ocean and lake surveys: For hydrographic surveys, and for the purchase of nautical books, charts, and sailing directions, and freight and express charges on the same, \$100,000.

Mr. COCKRELL. What will be the effect of that? I should like to have it read again.

The Secretary again read the amendment.

Mr. COCKRELL. I should like to ask a question. The Senator proposes to put in the word "lake."

Mr. HALE. That is as it is at present.

Mr. COCKRELL. It is not in the bill now.

Mr. HALE. No.

Mr. COCKRELL. Is that the existing law?

Mr. HALE. Under the existing law. In making up the clause I neglected to put in the word "lake." I am correcting the language now. It is in the present law.

Mr. COCKRELL. It is all right if it is in the present law.

Mr. ALLISON. How much is it?

Mr. HALE. A hundred thousand dollars.

Mr. ALLISON. For the current year?

Mr. HALE. Yes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maine to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to the end of line 8, on page 20.

Mr. COCKRELL. I should like to know what are the special duties of a writer. I find in a number of places it says, "one writer, at \$900." I see here, "one writer at \$1,017.25." Then another "writer, at \$900." What class of employees are they?

Mr. HALE. I will state to the Senator they are not technically under the law. For instance, the law takes recognition of first, second, third, and fourth class clerks. It makes recognition of messengers and laborers and some others, but writers are appointed and designated by the Department without there being any legal application of a salary to them. In some cases they are put in at \$900 and in others at ten hundred and again at twelve hundred. I do not think any of them get more than that. But they have not now, as I understand it, such a designation as limits them to a particular salary.

Mr. COCKRELL. What kind of work do they do?

Mr. HALE. Writing. It is clerical work.

Mr. COCKRELL. Is not this simply an evasion of the civil-service law, by designating them as writers and keeping them out of any classification as a clerk at a thousand dollars or twelve hundred dollars or fourteen hundred dollars or sixteen hundred dollars or eighteen hundred dollars?

Mr. HALE. No; they have to be examined just the same.

Mr. COCKRELL. You are sure they go through the civil service?

Mr. HALE. I am not absolutely certain, but I have no doubt of it. I have no belief that they are put in without examination.

Mr. MORGAN. They are one of the oldest establishments in the Navy.

Mr. COCKRELL. If this is a special class they would come under the civil service.

Mr. HALE. It is not.

Mr. COCKRELL. I have a very serious question as to whether they come under it.

Mr. HALE. It is not a special class, except as recognized by certain Departments. I do not know whether the writer is found outside of the Navy Department; possibly the War Department.

Mr. CHANDLER rose.

Mr. HALE. Perhaps the Senator from New Hampshire can tell.

Mr. CHANDLER. They are mere Navy clerks.

Mr. HALE. They are clerks.

Mr. CHANDLER. If the Senator from Missouri thinks he can get one into the service without an examination, I wish he would go to the Navy Department and try; for I find I can not.

Mr. COCKRELL. If the Senator from New Hampshire has not been able to get one in, I shall despair of making any effort.

Mr. CHANDLER. I know it. Everybody is classified except the mere laborers and workmen. There have been emergency appointments, as the Senator knows, but they have been in pursuance of express law of Congress.

Mr. COCKRELL. These are evidently not emergency employees.

Mr. CHANDLER. They are not.

Mr. COCKRELL. No.

Mr. CHANDLER. The civil-service rules are just as rigidly



enforced in the Navy Department as in any other Department; and a writer is the mere name of the clerk.

Mr. TILLMAN. I think the variation in pay arises from the per diem pay. They are not paid by the year at all. That is my recollection.

Mr. COCKRELL. They are paid by the year just like the others—so much a year. Here is one at \$1,017.25.

Mr. TILLMAN. How do they arrive at that except by some per diem?

Mr. COCKRELL. And here are two writers at \$900 each. That is for the whole year, and they count, I suppose, 355 days to the year and make a distribution of it accordingly.

The reading of the bill was resumed. The next amendment of the Committee on Naval Affairs was, on page 20, line 24, to increase the appropriation for the salary of one electrician at the navy-yard, New York, N. Y., from \$1,200 to \$1,800; and on page 21, line 1, to increase the total appropriation for maintenance of the navy-yard, New York, N. Y., from \$20,266.13 to \$20,866.13.

The amendment was agreed to.

The next amendment was, on page 21, line 16, to increase the appropriation for the salary of one electrician at the navy-yard, Washington, D. C., from \$1,200 to \$1,800; and in line 19 to increase the total appropriation for the maintenance of the navy-yard at Washington, D. C., from \$5,495.25 to \$6,095.25.

The amendment was agreed to.

The next amendment was, on page 21, line 24, to increase the appropriation for the salary of one electrician at the navy-yard, Norfolk, Va., from \$1,200 to \$1,800; and on page 22, line 4, to increase the total appropriation for the maintenance of the navy-yard, Norfolk, Va., from \$9,758.63 to \$10,358.63.

The amendment was agreed to.

The next amendment was, on page 23, line 5, to increase the appropriation for the salary of one electrician at the navy-yard, Mare Island, Cal., from \$1,200 to \$1,800; and in line 8, to increase the total appropriation for the maintenance of the navy-yard, Mare Island, Cal., from \$14,091.67 to \$14,691.67.

The amendment was agreed to.

The next amendment was, on page 23, line 17, to increase the total appropriation for the civil establishment, Bureau of Yards and Docks, from \$83,439.83 to \$85,839.83.

The amendment was agreed to.

The next amendment was, on page 23, after line 20, to insert:

Hereafter electricians at the navy-yards in the Bureau of Yards and Docks shall be of the first and second grade, the first grade to have an annual salary of \$1,200 and the second grade to have an annual salary of \$1,800; and said electricians of either grade shall be assigned, in the discretion of the Secretary of the Navy, to the several navy-yards.

The amendment was agreed to.

The next amendment was, on page 24, line 8, after the word "dollars," to insert "railroad and rolling stock, \$45,000;" and in line 19, before the word "thousand," to strike out "three hundred and sixty-one" and insert "four hundred and six;" so as to make the clause read:

Navy-yard, Portsmouth, N. H.: Quay wall, \$40,000; grading, \$25,000; railroad and rolling stock, \$45,000; sewer systems, extensions, \$5,000; water systems, extensions, \$18,000; machine shop for equipment, \$100,000; machine shop for steam engineering, \$50,000; smith shop for construction and repair, \$22,000; latrines, \$2,000; remodeling building 42 for yards and docks, \$5,000; office building for construction and repair, \$15,000; underground conduit system, \$18,000; fire-protection system, \$30,000; in all \$406,000.

The amendment was agreed to.

The next amendment was, on page 27, line 2, after the word "dollars," to strike out: "Barracks for enlisted men, to take the place of the receiving ship, to cost not more than \$300,000, for which contract is hereby authorized, \$100,000" and insert "new roof for building No. 12, \$4,000; completing building No. 23 (two elevators), \$4,700;" and in line 10, before the word "hundred," to strike out "three hundred thousand two" and insert "two hundred and eight thousand nine;" so as to make the clause read:

Navy-Yard, New York, N. Y.: \* \* \* bascule bridge, \$115,000; new roof for building No. 12, \$4,000; completing building No. 23 (two elevators), \$4,700; in all, navy-yard, New York, N. Y., \$1,208,900.

The amendment was agreed to.

The next amendment was, on page 29, line 13, after the word "dollars," to insert "completing shop and office building for construction and repair, \$30,000;" and in line 16, before the word "thousand," to strike out "fourteen" and insert "forty-four;" so as to make the clause read:

Navy-Yard, Washington, D. C.: Extension of store No. 1, \$18,000; paving, \$50,000; underground conduit system, \$30,000; fireproof floors for pattern shop, \$15,000; boiler house for heating plant, \$14,500; skylight for north gun shop, \$3,202.32; storehouse for combustible material, \$4,000; coal shed and coal-handling appliances, \$40,000; fire protection system, \$40,000; tool shop, \$85,300; gunner's workshop, \$20,800; extension of forge shop and new roof, \$32,300; completing shop and office building for construction and repair, \$30,000; in all, navy-yard, Washington, \$444,102.32.

The amendment was agreed to.

The next amendment was, on page 30, line 10, after the word "dollars," to insert "constructing ship furniture rooms in build-

ing No. 30, \$2,500; alterations in building No. 15, storehouse, \$3,200;" in line 14, before the word "thousand," to strike out "sixty-six" and insert "seventy-two;" and in line 15, before the word "hundred," to strike out "five" and insert "two;" so as to make the clause read:

Navy-yard, Norfolk, Va.: \* \* \* sewers, \$4,000; constructing ship furniture rooms in building No. 30, \$2,500; alterations in building No. 15, storehouse, \$3,200; in all, navy-yard, Norfolk, Va., \$472,200.

The amendment was agreed to.

The next amendment was, on page 30, line 22, before the word "thousand," to strike out "one hundred and fifty" and insert "two hundred;" in line 25, after the word "elect," to insert "quay wall, \$50,000;" on page 31, line 1, before the word "thirty," to strike out "condensing plant" and insert "artesian wells;" in the same line, after the word "dollars," to insert "storehouse for lumber, \$30,000; building for equipment, \$55,000;" and in line 8, before the word "thousand," to strike out "two hundred and twenty-seven" and insert "four hundred and twelve;" so as to make the clause read:

Naval station, Port Royal, S. C.: Toward rebuilding dry dock, to cost not to exceed \$500,000, \$200,000, and the Secretary of the Navy is hereby authorized to rebuild or repair said dock in concrete or stone, or both, as he may elect; quay wall, \$50,000; artesian wells, \$30,000; storehouse for lumber, \$30,000; building for equipment, \$55,000; fire-engine house, \$9,000; grading and drainage, \$2,000; purchase of land, \$26,000; crane supports in steam-engineering machine shop, \$10,000; in all, naval station, Port Royal, \$412,000.

The amendment was agreed to.

Mr. TILLMAN. I wish to offer an amendment on page 30. I send it to the desk and ask that it may be considered.

The PRESIDENT pro tempore. Is it a committee amendment?

Mr. TILLMAN. No, sir.

Mr. HALE. Will not the Senator wait, under the order?

Mr. TILLMAN. Certainly I will. The Senator from California put in a special amendment, but I am perfectly willing to wait.

Mr. HALE. That was a committee amendment.

Mr. TILLMAN. I beg pardon. I will wait.

The reading of the bill was resumed. The next amendment of the Committee on Naval Affairs was, on page 31, line 11, after the word "dollars," to insert "floor in new machine shop, steam engineering, \$3,000;" and in line 13, before the word "thousand," to strike out "ninety-seven" and insert "one hundred;" so as to make the clause read:

Naval station, Key West, Fla.: Building for equipment, \$47,000; construction and repair shop, \$30,000; floor in new machine shop, steam engineering, \$3,000; in all, naval station, Key West, \$100,000.

The amendment was agreed to.

The next amendment was, on page 31, line 25, after the word "dollars," to insert "for the construction of a chapel, \$5,000;" on page 32, line 7, after the word "dollars," to strike out "barracks for enlisted men (to take the place of the receiving ship), to cost not more than \$300,000, for which contract is hereby authorized, \$100,000;" and insert "completing workshop and boiler house for Bureau of Equipment, \$10,000;" and in line 14, before the word "thousand," to strike out "five hundred and sixty-three" and insert "four hundred and seventy-eight;" so as to make the clause read:

Navy-yard, Mare Island, Cal.: \* \* \* for the construction of a chapel, \$5,000; crane scow, \$12,000; to continue dredging, \$100,000; foundry for construction and repair, \$4,500; pattern shop for construction and repair, \$6,000; coal storage, \$50,000; changes and extensions in electric system, \$12,000; enlargement of equipment offices, building 65, \$5,000; completing workshop and boiler house for Bureau of Equipment, \$10,000; in all, navy-yard, Mare Island, \$478,200.

The amendment was agreed to.

The next amendment was, on page 34, after line 4, to insert:

Dry dock, Havana, Cuba: The President is hereby authorized to purchase from the Government of Spain, for a sum not to exceed \$275,000, the 10,000-ton steel floating dry dock belonging to that Government and now in the harbor of Havana, Cuba, and the sum of \$300,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of said dock and for transferring and mooring the same in such location as may be determined upon by the President.

The amendment was agreed to.

The next amendment was, on page 34, line 19, to increase the total appropriation for public works, Bureau of Yards and Docks, navy-yards and stations, Naval Academy, and new Naval Observatory, from \$7,797,467.32 to \$8,289,867.32.

The amendment was agreed to.

The next amendment was, on page 35, line 7, before the word "million," to strike out "six" and insert "eight;" so as to make the clause read:

Buildings and grounds, Naval Academy: Toward the construction of buildings, and for other necessary improvements, at the Naval Academy, Annapolis, Md., \$350,000. *Provided*, That before any part of this sum is expended, complete plans shall be prepared and approved by the Secretary of the Navy covering all contemplated new buildings and improvements at the Naval Academy and for each and every purpose connected therewith; which plans shall involve a total expenditure of not more than \$8,000,000, including the sum of \$1,230,000 heretofore appropriated and the sum herein appropriated for said buildings and improvements: *Provided further*, That after the preparation and approval of the plans herein provided for, the Secretary of the



Navy is authorized to enter into contract or contracts for any part or all of the improvements and buildings herein authorized, within the said limit of cost, to be paid for as appropriations may from time to time be made by law.

The amendment was agreed to.

The reading was continued to line 18 on page 37.

Mr. HALE. On page 37, line 17, I move to strike out the compound word "water-tube" before the word "boilers;" so as to make the paragraph read:

Naval hospital, New York, N. Y.: Removing old boilers, condemned as worn-out and worthless, and furnishing and installing two new boilers at naval hospital, New York, \$5,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Naval Affairs was, on page 38, line 4, before the word "years," to strike out "fifty" and insert "forty;" and in line 14, after the word "officer," to insert "in the surgeon's or paymaster's corps;" so as to make the clause read:

The active list of surgeons shall hereafter consist of 55, and that of passed assistant and assistant surgeons of 110. Assistant surgeons shall rank with assistant surgeons in the Army: *Provided*, That the assistant surgeons under the age of 40 years appointed for temporary service during the war with Spain, having creditable records, who are now in the Navy may be given permanent commissions: *And provided further*, That section 13 of the act approved March 3, 1899, entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," be, and the same is hereby, so amended as to provide that nothing therein contained shall operate to reduce the pay which, but for the passage of said act, would have been received by any commissioned officer in the surgeon's or paymaster's corps at the time of its passage or thereafter.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Construction and Repair," on page 50, after line 3, to insert:

Naval station, Port Royal, S. C.: For one clerk, at \$1,200.

The amendment was agreed to.

The next amendment was, on page 50, line 13, to increase the total appropriation for the maintenance of civil establishment, Bureau of Steam Engineering, from \$13,200 to \$14,400.

The amendment was agreed to.

The next amendment was, under the head of "Naval Academy," on page 54, after line 9, to strike out the following:

The students at the Naval Academy shall hereafter have the title of midshipman, and on successfully completing the course at that institution each shall be commissioned in the lowest grade of the line or Marine Corps, the two years' course at sea being hereby abolished.

The naval cadets who have completed the four years' course at the Naval Academy and are performing duty at sea shall be commissioned in the lowest grade of the line or Marine Corps, and the members of each class shall take rank among themselves according to their graduating multiples as was determined at the end of the four years' course at the Naval Academy.

Mr. CAFFERY. Mr. President, I hope that this amendment will not be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. CAFFERY. I ask the Senate not to agree to the amendment of the committee. I should like to have the amendment passed over until to-morrow, if it suits the pleasure of the chairman of the Committee on Naval Affairs. I wish to look into the matter some before urging reasons why the committee amendment should not be adopted.

The PRESIDENT pro tempore. The Senator from Louisiana asks that the amendment may be passed over for the present.

Mr. HALE. I should be very glad to dispose of the amendment to-night, but the entire bill can not be finished to-night owing to the armor-plate provision, and if it will be a personal convenience to the Senator from Louisiana I am willing that the amendment shall go over.

Mr. CAFFERY. I will state to the Senator from Maine that I have just arrived, and I have had no opportunity to look thoroughly over the ground of objection to this amendment. I think it is open to serious objection, and I should be very much obliged to the Senator if he would allow it to go over until to-morrow.

Mr. HALE. Well, it may go over, Mr. President, and the amendment accompanying it proposing to insert from line 22 to line 25, inclusive.

The PRESIDENT pro tempore. The amendment will be passed over for the present.

The next amendment was, on page 54, after line 21, to insert:

Whenever any naval cadet shall have finished four years of his undergraduate course of six years an additional appointment may be made from his Congressional district or at large in accordance with existing law.

The PRESIDENT pro tempore. This amendment goes over?

Mr. HALE. This amendment goes over too.

The PRESIDENT pro tempore. The amendment will be passed over.

The next amendment was, under the head of "Marine Corps," on page 55, after line 17, to insert:

From and after the passage of this act no other original appointments of officers and no further enlistments of noncommissioned officers and privates in the Marine Corps shall be made without further authority from Congress.

Mr. LODGE. I should like to ask from the committee an explanation of this amendment. As it stands it seems to me that it would make absolutely impossible any appointments to the Marine

Corps; that is, as fast as men died or were discharged their places would not be filled. It says "no other original appointments of officers and no further enlistments of noncommissioned officers and privates in the Marine Corps shall be made." That prevents an original appointment, of course, and if a man is retired by reaching the expiration of his term or if he dies or if a private is discharged, under this amendment the place can not be filled, and in time it would put a complete end to the Marine Corps. I can not suppose that that is the purpose of the amendment.

Mr. CHANDLER. I am very much obliged to the Senator for making the suggestion that mistakes in language will occur even in the Naval Committee, and I therefore ask to have the amendment perfected before it is disposed of, by adding the words which I send to the desk. Inasmuch as this is the only item of economy there is in the bill I hope that Senators will treat it tenderly and not make up their minds about it until they have heard the debate. I knew that it would challenge criticism, Mr. President, from the very fact that it was a piece of economy, and the only one there is in the bill.

The PRESIDENT pro tempore. The amendment proposed by the Senator from New Hampshire to the amendment will be read.

The SECRETARY. In line 18, before the word "original," strike out the word "other" and insert "further;" in line 19, after the word "officers," add "except to fill vacancies in the number then existing;" in line 19, after the word "enlistments," add "beyond the number then existing;" so as to read:

From and after the passage of this act no further original appointments of officers except to fill vacancies in the number then existing, and no further enlistments beyond the number then existing of noncommissioned officers and privates in the Marine Corps shall be made without further authority from Congress.

Mr. FORAKER. Mr. President, I am opposed to the amendment as proposed to be amended.

Mr. STEWART. Mr. President, I am opposed to the amendment in any form, and I should like to have an explanation of it. The amendment appears to proceed on the theory that we are going to abandon our island possessions. If we are to retain them we want a larger Marine Corps. They are much cheaper than the Army, and they will have to live largely on the ships going from one island to the other. If we are to keep a police in the Philippines, there will have to be naval vessels going from point to point and the Marine Corps are organized for living on ships and traveling from point to point where they are needed.

I think this amendment proceeds on the theory that we will give up the islands and have no service of that kind. Our new acquisitions call for a very great enlargement of the Marine Corps. Certainly this is no time to abolish it. Whatever may be our view with regard to a large standing army, we must have a strong Marine Corps to guard the islands and to go among them.

It will be remembered that piracy was carried on in the Philippines. It was carried on there for more than fifty years after it was destroyed in every other part of the world, and it is going on there to some extent now. We want naval vessels and a Marine Corps to look after pirates there. I understand that pirates are at work even now. If you are going to abolish that arm of the service, which is particularly fitted and necessary to our island possessions, then, of course, it implies that you have made up your minds to give them up. A vote to abolish the Marine Corps, it seems to me, would be a vote to abandon our islands, because they can not be held except in that way.

Mr. FORAKER. I understand that the Marine Corps is now short of its full complement of men to the number of about 1,500, and that it is short of officers to the number of about 40. I understand there will be a number of new ships put in commission during the present year that will require the assignment of additional men and additional officers. All this is to be considered in addition to what the Senator from Nevada has so well suggested when speaking in my time. It is in this view that I am opposed to the amendment.

I think the Marine Corps have made a splendid record for efficient service. That has been true of it in all of its history, but particularly during the recent war, and at this time, when we have so much need for it and when it is so deficient of men and officers, we ought not to be curtailing, as this amendment proposes to do, the efficiency of that arm of the service.

So I am opposed to the amendment as proposed to be amended, even though it be suggested on economical grounds.

Mr. CHANDLER. I should like to ask the Senator from Ohio about how many marines he thinks we ought to have in proportion to the sailors that we have? The marines are the soldiers of the Navy, and we have over 4,000 privates—I think about 5,000 in all—in the Marine Corps. I should like to have the Senator tell me how many marines he thinks we ought to have?

Mr. FORAKER. Not having been Secretary of the Navy, I am unable to tell what the proper proportion would be; but I think we ought to have a sufficient number of each.

Mr. CHANDLER. About how many in proportion to the sailors?



Mr. FORAKER. I do not know how many; but I do know, according to the information which has been sent to me, we have a Marine Corps that is authorized to have a certain number of men and a certain number of officers, and we are now short in the number of men about 1,500 and in the number of officers about 40. We are long on duty. We have four new ships to go into commission during the present year, for which, I am informed, there will be required about 260 marines. In addition to that, it will be necessary to use marines at the new stations at Honolulu, at Pago Pago, and at some other points that are being established, as well as in the Philippine Islands. Therefore it is that at this time, when there is an increased need, I do not think we ought to render inefficient this arm of the Navy, which has done such splendid service.

If the Navy is not as large as it should be—and I think probably it is not—we ought to increase it rather than diminish this branch in order that we may keep the proper proportion.

Mr. CHANDLER. I thought that was what the Senator would say. I would prefer the economical end of it; that is, to reduce the Marine Corps, so that it will properly correspond with the other branches of the Navy.

Mr. FORAKER. I do not think the proportion has anything to do with it necessarily, in so far as I know anything about it; but I do not profess to know much about it. I never had anything to do with the Navy, and never had occasion to study it; but I do know, as a general proposition, that there ought to be enough officers and men in the Marine Corps to render the services the country expects of that corps.

Mr. CHANDLER. The Senator would not want to have half as many marines as there are seamen, would he?

Mr. FORAKER. I only desire that there shall be a sufficient number for the proper performance of the duties.

Mr. CHANDLER. We ought to preserve a proper proportion.

Mr. FORAKER. I do not know what symmetry would require; but if we needed 4,000 marines and had only 3,000, I would want a thousand more.

Mr. CHANDLER. I wanted to get from the Senator, if I could, what his idea was as to the proper proportion.

Mr. FORAKER. As I said before, I am not able to give the proper proportion. I have not had the advantages which the Senator from New Hampshire has enjoyed.

Mr. CHANDLER. Would the Senator have one marine to five sailors?

Mr. FORAKER. I do not know anything about the proportion. I am willing simply to have a sufficient number of men to perform the services required of the Marine Corps, and information has been given us as to the number being insufficient for the service as now organized.

Mr. STEWART. I should like to inquire of the Senator from Ohio if the proportion would not depend very much on the kind of service? If we had nothing but continental possessions, perhaps we would have very little need for their landing, and there might be very little fighting, but if we have got a thousand islands to look after, where the Marine Corps has to do the fighting necessarily, if there is any fighting to be done, we would want to have probably ten or fifteen of them to every one person manning a ship. We would want the marines to take care of the guns instead of having it done by soldiers, who are unaccustomed to such business.

Mr. FORAKER. Will the Senator from Nevada allow me to interrupt him?

Mr. STEWART. Certainly.

Mr. FORAKER. I wish to ask the Senator from New Hampshire, who is an expert in knowledge on this subject, what the proper proportion is?

Mr. CHANDLER. I should think about 1 marine to 5 seamen.

Mr. FORAKER. On what does the Senator base his judgment?

Mr. CHANDLER. From such observations as I have been able to make, from my general knowledge of a ship's complement, and the necessities for a landing force. I should think 1 marine to 5 or 6 sailors would be a fair proportion, and would make a symmetrical navy, to use the term employed by the Senator from Ohio.

Mr. FORAKER. If the Senator—

Mr. CHANDLER. Will the Senator kindly wait a moment and let me answer his question?

Mr. FORAKER. Yes.

Mr. CHANDLER. The present authorization for the Marine Corps is between four and five thousand privates. The present authorization as to seamen is about 17,000.

Mr. PERKINS. Seventeen thousand five hundred.

Mr. CHANDLER. I think that that is too large; and I will say further, if the Senator will allow me, or I will wait until he finishes—

Mr. FORAKER. Mr. President, I was about to say, in answer to the Senator—and that is all I care to say about it—that I wanted to get his idea of what the proper proportion was.

Mr. CHANDLER. I gave the Senator my idea, but I want his idea, I having given mine.

Mr. FORAKER. I will say to the Senator that my idea about it is not based on any consideration of symmetry, but on the necessities of the situation. I mean symmetry as to organization—I am employing the language employed by the Senator—and my information is that the Marine Corps is needed for various wants of the service. I am satisfied that there are not enough men and not enough officers in the Marine Corps to render the proper service. A certain number of men and officers are required for each battle ship and for each cruiser we put in commission. Marines are also needed at all these new stations to do land duty, and there is very considerable need for them in the Philippine Islands. So that if the proportion heretofore of 1 to 5, which the Senator speaks about, has been proper, necessarily it would not be under these new existing conditions. At any rate, Mr. President, I am opposed to this amendment because, as I said a while ago, my information is that the necessities of the service upon the Marine Corps are greater than the Marine Corps as now constituted, with its deficient organization, is able properly to meet.

Mr. STEWART. I should like to make an inquiry before the debate goes further. I should like to inquire of the Senator having charge of the bill if this amendment has been sent to the Secretary of the Navy for his opinion thereon; and if it has been, is his opinion here?

Mr. HALE. I think the amendment was not drawn by the head of the Marine Corps. [Laughter.]

Mr. STEWART. Or by the Secretary of the Navy?

Mr. HALE. Nor by the Secretary of the Navy.

Mr. STEWART. It has not been presented to the Secretary for his opinion?

Mr. CHANDLER. Yes; I will say to the Senator—I should like to help the Senator—

Mr. HALE. When he is in trouble.

Mr. CHANDLER. No; when he is on the floor. The question has been submitted to the Secretary of the Navy, and Captain O'Neil writes me that he does not approve of it.

Mr. STEWART. And I do not think any sensible man does.

Mr. CHANDLER. And the Secretary of the Navy does not approve of it. I will give the Senator that comfort; but, as the Senator from Nevada knows, we are in the habit of legislating here in accordance with our own judgment and do not always take the opinions of the Secretary as a guide to legislation.

Now, Mr. President, if no one intends to ask me any other question—

Mr. CAFFERY. I wish to ask the Senator a question. Can the Senator tell me whether or not the complement of the Marine Corps and seamen which is authorized by existing law is already full, and whether by this amendment it is intended to cut off any further appointments of officers or enlisted marines?

Mr. CHANDLER. I do not know what the complement of marines for all the vessels that are now provided for by law or may be provided for by the existing bill would be. I am not able to answer on that point.

Mr. CAFFERY. Then, what is the use of the amendment?

Mr. CHANDLER. I had not quite answered the Senator's question.

There are a number of ships provided for in the present bill—two battle ships and the cruisers. If we complete the programme of the Navy Department and put armor on the three battle ships that are contracted for, but for which the armor has not yet been provided, and provide armor for the armored cruisers authorized, for which the armor has not been provided, and authorize the ships provided for in the bill as it came from the House of Representatives, we shall expend about \$60,000,000 on the Navy. We shall complete some 14 ships and we shall spend at the rate of \$500 per ton for the armor, amounting to about \$15,000,000 for armor in the next three or four years in carrying out the existing naval programme.

Mr. President, I do not know exactly how many marines will be required for all those ships. The amendment provides that there shall be no further appointments without further authority of Congress; and, of course, Congress meets again next December.

A year ago there was a very large increase made in the Marine Corps, and an enlargement I deemed at that time to be excessive; but which I omitted to oppose. The Navy Department has not filled up the Marine Corps, as it was authorized to do. I think there were some ten or twelve hundred men authorized by the bill of last year, who have not been enlisted, and I think some thirty or forty officers, second lieutenants, who have not been appointed.

It occurred to me that it would be a wise thing to stop the Marine Corps where it is until next winter; that we should wait and see whether or not we shall build all these new ships; and in the meantime to take into consideration the question of what shall be the proportion of marines to seamen in the Navy. It was with that idea that I asked the committee as a measure of economy—



because it is easier to stop enlarging than it is to reduce after an enlargement is once made—to hold the Marine Corps as it is until next winter. That amendment was adopted by the committee, and is now before the Senate.

Mr. HOAR. I should like to ask the Senator, if this large increase of the naval force is provided for in this bill, it is the purpose of the committee to provide in a deficiency bill for a war to employ them, or how are we to bring that about?

Mr. CHANDLER. I do not understand the Senator's question.

Mr. HOAR. I ask the Senator if we provide for this large increase of naval force in this bill, does the Senator propose in a deficiency bill to provide for a war to employ them? [Laughter.]

Mr. CHANDLER. Ours is a great naval power; it is a world-wide power, as the Senator knows.

Mr. HOAR. I have heard so of late.

Mr. CHANDLER. The flag of the United States has been winning victories all around the globe, and has not been confined to this hemisphere.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. CHANDLER. Of course.

Mr. TILLMAN. I would say, with the Senator's permission, that I thought we already had war enough to satisfy almost anybody, and we are kept very busy trying to supply the material for powder in the Philippines.

Mr. CHANDLER. I did not yield to the Senator for a speech.

Mr. TILLMAN. I only want to ask the Senator whether it is not a fact that at this time we are laying up ships, as it is stated officially, because we have not got officers to man them? If we have not got the officers to man the ships, what use have we for this enlarged Marine Corps?

Mr. CHANDLER. I do not think we are laying up ships because we have not officers and men enough to look after them.

Mr. TILLMAN. That is the report I hear—that the number of officers is now below the proper quota on almost every ship we have.

Mr. CHANDLER. Mr. President, the number of officers is below the quota, it is said, because the theory of the naval officers and the theory of the Navy Department is to have just as many naval officers on shore duty as they have at sea. So we have about six or seven hundred naval officers who are in commission on ships or who are supposed to be at sea, and we have six or seven hundred naval officers on duty on shore. I think a larger proportion of naval officers ought to be on the ocean; they ought to be on their native element, so to speak; and when I am asked to enlarge the Navy by increasing the number of officers when there are thirteen or fourteen hundred commissioned officers of the Navy and only one-half of them on ships in commission, I am unwilling to do it. I do not think it would injure the Navy if three-fourths of the officers were at sea all the time. We could manage to get along, so far as the shore duty of naval officers is concerned, with only one-fourth the number instead of one-half the number assigned to that duty.

Mr. TILLMAN. But still the Senator will not deny the fact that the Department is putting ships out of commission now for the reason, as they say, that they have not officers enough.

Mr. CHANDLER. They may put vessels out of commission, saying that, but that does not alter the fact that there are plenty of naval officers on shore who might go to sea.

Mr. TILLMAN. I am not indicting the administration of the Navy Department. I am only calling attention to the condition. I am of the same impression as the Senator, that we do not want any more marines unless we are going to use them in a proper way.

Mr. CHANDLER. I understand that, and I am glad to have the Senator agree with me; but I can not agree to the reasons the Senator gives.

Mr. TILLMAN. I do not give that as a reason. I only give it as a fact existing in the condition of the service.

Mr. CHANDLER. I think it is a fact that the Navy Department are not putting new ships into commission because they say they have not officers enough; but I say there are plenty of officers on shore duty, and they ought to go to sea.

Mr. TILLMAN. They are putting ships out of commission in order to give certain officers billets on shore.

Mr. CHANDLER. The Senator states a fact which I do not know.

Mr. BACON. May I ask the Senator a question?

Mr. CHANDLER. With pleasure.

Mr. BACON. I was unable to catch the full import of the amendment which has been read at the desk, and I wish to ask the Senator this question: Under existing law the President has already designated certain young men for examination for appointment. I want to know whether, under the amendment which was read at the desk a few moments ago, there would still be an opportunity for the appointment of those young men; in other words, will

there be vacancies such as can be filled by these young men if they successfully pass the examination, having already been designated by the President?

Mr. CHANDLER. Not unless they are nominated by the President and confirmed by the Senate before this bill becomes a law. This bill arrests the increase of the Marine Corps precisely where this bill finds it when it becomes a law until next winter, or until further authority is given by Congress.

Mr. BACON. Will not the young men who have been designated by the President for examination then be eligible for appointment to such vacancies as may occur?

Mr. CHANDLER. They will not—not unless they are confirmed by the Senate before this bill becomes a law.

Now, Mr. President, I want to get in a word on my own account.

Mr. TILLMAN. If the Senator will permit me, I think he did not exactly catch the question the Senator from Georgia put to him.

Mr. CHANDLER. I understood it perfectly.

Mr. TILLMAN. Possibly I can throw some further light upon it. I understand the Senator from Georgia wishes to know whether these young men, who are now on some supposed list for examination, will be eligible to appointment hereafter if this bill becomes a law?

Mr. CHANDLER. They will not.

Mr. TILLMAN. They would be in case of a vacancy, or in case a death or resignation occurred.

Mr. CHANDLER. The Senator from South Carolina forgets that under existing law vacancies can only be filled by graduates from the Naval Academy.

Mr. TILLMAN. And therefore this looks to the elimination of the civilian contingent from the Marine Corps.

Mr. CHANDLER. After the date of the passage of this law.

Mr. TILLMAN. I understood that the number of naval cadets was not sufficient to meet the requirements of the Navy and that we are looking around for somebody to make up the deficiency.

Mr. CHANDLER. We have got a good many of them in already; but I suppose the Secretary has about exhausted that list. We took in nearly all those who served in the Spanish war. I had supposed that the list of those whom it was desired to take into the Marine Corps, civilians, not graduates from the Naval Academy, had been about exhausted, or would be exhausted when the examinations took place to which the Senator from Georgia has alluded, and that after that the appointments would, of course, be made from graduates of the Naval Academy.

Mr. BACON. Does not the Senator think the amendment might be enlarged to such an extent as not to exclude those who have already been designated by the President? It would be a very great hardship to exclude them.

Mr. CHANDLER. I have an idea that their names will be sent to the Senate and they may be confirmed before this clause becomes a law.

Mr. BACON. Not necessarily. Those young men have been designated by the President for examination, and the examinations in all probability will not be held until after such time as this bill becomes a law. The number is very few.

Mr. TILLMAN. How many?

Mr. BACON. I do not know; but the President has designated these young men; they have entered upon a course of preparation; and it would be certainly a very great hardship to exclude them when the number is very limited. I would ask the Senator if the committee would not agree to make an enlargement of the amendment to that extent, so as not to exclude those who have already been designated and who are now making preparations for their examination?

Mr. CHANDLER. It is possible, I will answer the Senator, that the Secretary of the Navy may have designated for examination enough young men to fill these vacancies; which I wish to hold back. If so, then the effect of this amendment would be lost.

Mr. BACON. Then I will make this suggestion to the Senator: This bill is not going to be disposed of to-day; and I would ask that this amendment go over until we can get definite information from the Department.

Mr. HALE. Let us dispose of this question to-night.

Mr. SCOTT. Mr. President—

Mr. CHANDLER. Mr. President, I will say a word here before other Senators go on. However, I will yield to the Senator from West Virginia.

Mr. SCOTT. I want to ask the Senator one question. I understand there are 35 vacancies in second lieutenantcies in the Marine Corps and that the young men to whom the Senator from Georgia refers have been ordered for examination on June 4. Now, I understand, if this amendment should be adopted, it will cut those young men out of the chance of appointment.

Mr. CHANDLER. I am afraid it would, but I do not know of any vested right in those young men to be appointed if we do not want them and if it is not for the interest of the Government



that they should be appointed. I do not know why the fact that they have been ordered for examination should give them any right to be appointed.

Now, Mr. President, I want to say—

Mr. HOAR. I want to ask the Senator if this whole matter can not be disposed of by inquiring of the Navy Department by telephone, and getting an answer in five minutes, whether there are any such persons who have been so designated for examination; and if so, how many?

Mr. CHANDLER. I can inform the Senator from Massachusetts that the Senator from Georgia [Mr. BACON] was correct in his statement.

Mr. HOAR. Are there three or four, or how many?

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. The Senator from New Hampshire has the floor.

Mr. TILLMAN. Let me ask the Senator—

Mr. CHANDLER. I will yield, one after another, to all Senators.

The PRESIDENT pro tempore. The Senator from South Carolina.

Mr. TILLMAN. I should like to ask the attention of my friend from Georgia [Mr. BACON] and others, who seem so solicitous about these young men who have had the glittering bauble of a commission in the Marine Corps held up before their eyes, as to whether or not we should take that matter into consideration, unless we are going to furnish privates for those young men to command? We can not do that to-night; that is very certain; and I think the rank and file of the Marine Corps ought to be kept in touch with one another and somewhat equalized.

Mr. FORAKER rose.

Mr. CHANDLER. The Senator from Ohio, I see, is apparently desirous of getting in, and I yield to him.

Mr. FORAKER. I do not want to interfere with the Senator from New Hampshire. I was simply waiting until he concluded his remarks. I only wanted to say that about a year ago, on March 3, 1899, on the passage of the naval personnel bill, we discussed this whole subject. We thought at that time we were organizing the Marine Corps in a symmetrical and satisfactory form, providing for a certain number of officers and a certain number of men. It seems to me we ought not so soon after to change that organization as then provided. I do not think there is any necessity for it, but rather a necessity for maintaining it at the figures we then thought appropriate, both as to men and as to officers.

I hope the amendment will not prevail. That is all I wanted to say, and I am obliged to the Senator from New Hampshire for allowing me to say it before he concluded.

Mr. CHANDLER. I yielded to the Senator because, when I am speaking, it frightens me to see so many Senators desiring to ask me questions all at one time, and therefore, as the Senator was on his feet—I did not know he was there solely for the purpose of listening to my remarks; I supposed he was there to make a speech in his own behalf—I yielded to him.

I have become aware since yesterday that I have done perhaps an unwise thing in asking the Committee on Naval Affairs to hold back these appointments until next winter. I have been besieged from various quarters, not only by the officers of the present Marine Corps to withdraw this amendment, but also individuals who are interested in these appointments have come to me, and I have no doubt that they have seen other Senators—

Mr. TILLMAN. That is very evident.

Mr. CHANDLER. I have no doubt that men, women, girls, and boys interested in this question have asked Senators to prevent the adoption of this clause. It is a grief to me to have my proposition of economy treated in such unfriendly way by Senators. I had hoped that the Senator from Maine [Mr. HALE] would come to my rescue in connection with it.

Mr. President, I also have a statement from Colonel Heywood, the brigadier-general commanding the Marine Corps, which is headed "Memorandum relative to the amendment to the naval appropriation bill, presented by the Senate Committee on Naval Affairs, providing that there shall be no further appointments or enlistments in the Marine Corps after the passage of the bill."

I ask that that may be printed as a document, and that this question may go over until to-morrow. Perhaps if a little more pressure is kept up by the friends of the various young men who are interested, I may be willing to have the provision stricken out of the bill.

The PRESIDENT pro tempore. Is there objection to the printing of the document submitted by the Senator from New Hampshire [Mr. CHANDLER]? The Chair hears none, and that order is made.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. The Senator from New Hampshire asks that this matter may go over until to-morrow.

Mr. CHANDLER. I will wait until after the Senator from

Massachusetts [Mr. LODGE], who began this subject, has had a chance to say something upon it.

Mr. LODGE. Mr. President, I am always anxious not only to deal tenderly with any proposition which comes from the Senator from New Hampshire, but to support his propositions, and especially when he brings forward a proposition in favor of economy, if it were not for economy in regard to the Navy. I have always said, and I have said in this Chamber many times, that it seemed to me that if there was one branch of the Government where we did not want to exercise economy that would tend to diminish the efficiency of the service, it was the Navy.

Our Navy to-day is entirely inadequate for the defense of the coasts of the United States. We have never had since the civil war ended a navy that was sufficient for our needs; and we have not got it to-day. We need a great many more ships, and we shall need a great many more men.

I cordially agree with the Senator from New Hampshire in what he said about the employment of naval officers at sea. I wish he would frame an amendment which would enable us to have the officers of the Navy go to sea, instead of having half of them performing clerical duties on shore. I think that is a very important reform, to which the Senator from New Hampshire, who is a reformer, and who is expert on this subject, might address himself.

But in regard to the Marine Corps, Mr. President, it seems to me that, taking the basis of calculation which the Senator from New Hampshire has himself proposed, the proportion of marines to seamen, we have not too many now. I suppose that basis of proportion proceeds on the complement of marines on ships of war—the number of marines in proportion to the number of seamen on any such ship. We have apprentices and enlisted men in the Navy about 40,000, and, as I understand it, we have something over 4,000 privates in the Marine Corps; which is very nearly in the proportion of 5 seamen to 1 marine. But it must be remembered, Mr. President, that the marines have other duties to perform besides their duties upon ships, where you can apply this proportion with accuracy.

They are the guard of every navy-yard in this country, a necessary guard. They are the guard of every naval station. We are obliged to have them wherever the Navy has a station of any kind, and to perform duties at stations where there are no seamen at all, and where, therefore, the rule of proportion, which is suggested by the Senator from New Hampshire, does not apply. We ought to have one marine, let us say, to every five seamen, but we need additional marines, whom you can not account for in that proportion, for the duties at navy-yards and naval stations, not only in this country, but the stations that we have at the various islands. Therefore the Marine Corps, on the figures now established by law, is not above the proportion which the Senator from New Hampshire has himself stated to be proper.

Mr. CHANDLER. I should like to correct the Senator from Massachusetts there. The Senator certainly will not say that there should be on a ship of war that has 500 seamen a marine for every five seamen. The marine guard would not be so large as that. The proportion that is sufficient is a proportion based upon the supposed necessities for marines both at sea and on shore, and no one would think of having one marine to every four or five seamen on a ship. One marine to ten seamen would certainly be enough.

Mr. LODGE. I think the proportion on board ship, as nearly as my memory serves me, is 1 to 7, perhaps 1 to 8; but granting that the proportion should be 1 to 5 seamen, including both their duties on the shore, where there are no seamen, and their duties on board ship, then we have a proportion to the enlisted men and apprentices of the Navy, as nearly as possible, of 5 to 1, which the Senator admits is a correct proportion.

Now, the amendment of the Senator as amended, as I understand it, provides that there shall be no new appointments in either the officers or the enlisted men in excess of the number authorized by law. I do not understand that it is possible to appoint in excess of the number authorized by law. The law establishes the Marine Corps and the officers at so many. The reason that appointments are being made is because the Marine Corps is not filled up to the number established by law. If it is simply proposed that we shall not increase the Marine Corps beyond the number established in the personnel bill, I have no objection to that; but such legislation is totally unnecessary. We can not increase the number beyond the number established in the personnel bill without affirmative and positive legislation. If, on the other hand, it is proposed to keep the Marine Corps 1,500 below what is established in the personnel bill in the enlisted men and 40 below what is authorized in the personnel bill in officers, then I am very much against the amendment, and I hope it will not prevail.

Mr. FORAKER. Mr. President, I do not know how anyone can doubt that that is the necessary construction of this amendment, that they shall stop enlistments and stop the appointments of officers at the point now reached. It would leave the corps



necessarily, unless Congress should take action on this, 1,500 short in men and 40 short in officers.

Mr. LODGE. Very well, then; if that is the intention, and if the object of this amendment is a reduction of the Marine Corps from that established by the personnel bill, it seems to me an unwise amendment. It seems to me that we have not too many marines authorized; that we have not enough now to perform the duties that are imposed upon them. It does not seem to me that it is any argument to say, as the Senator from South Carolina says, "We are holding back ships because we have not enough line officers." If we have not enough line officers, we should have more line officers, and we should apply our line officers to their sea duties and relieve them of these endless clerical duties in the Department and elsewhere, which ought to be performed by civilians.

Mr. TILLMAN. If the Senator will allow me, I will call his attention to the fact that the Navy Department is not at all chargeable with negligence, for it has done all it could, and it has not been able to enlist the corps of seamen authorized. It wants 4,000 or more men, and it has not been able to buy, beg, steal, or do anything else to get them. Now, we are only trying to keep the Marine Corps and the service about equalized, so to speak, and until we can get the sailors I think we may very well let this matter go through and then next winter we can very easily strike it out.

Mr. LODGE. Then the argument is, because we have not filled the number of enlisted seamen, therefore we will cut down the Marine Corps. You might just as well say that because we have not filled the number of enlisted marines by fifteen hundred, therefore we ought to cut down the seamen.

Mr. TILLMAN. Will the Senator permit me?

Mr. LODGE. Neither body of men is full as provided by the personnel bill, and there seems to me no reason for a reduction in either.

Mr. TILLMAN. That argument will not shoot both ways, because you certainly have no use for marines unless you have seamen, because you can not have marines unless they are on ships and you can not run a ship without seamen. You can run a ship without marines.

Mr. LODGE. A very large use of marines is in connection with navy-yards and with the naval stations. Wherever we have a dock or a navy-yard or a naval station on shore we have to have marines, and we do not need a single seaman.

Mr. TILLMAN. We have plenty of them for that service and we do not need any more unless we get more ships.

Mr. LODGE. On the contrary, I think we are short of the force we need.

Mr. HAWLEY. Mr. President, I am entirely opposed to the amendment pending here. There is no body of men in any branch of the service, in my judgment, as universally and handily serviceable as the marines. They can be thrown ashore to assist in the capture of a fort, to drive away an army, and on board ship they can be put at a gun at any time. They are artillerymen and seamen and infantry on shore—everything that pertains to the fighting service.

It is not pretended that anybody has considered this subject. The distinguished Senator from New Hampshire has apparently referred it to himself and made a unanimous report. He is all in favor of it; yet I should like very much to know, not only what the Navy Department and the Marine Corps have to say, for they have able and patriotic men, but what the Army also would say as to the abolition of this force. If it is to be reduced, do not let us dribble it out in this way by the expiration of the terms of service of individual marines, but let us say how many battalions, how many private soldiers there shall be in the marine force, and reduce it, so that instead of having 8 companies of 40 men apiece we may have so many companies with 80 men, have a full company whatever reduction we make.

Mr. CHANDLER. I should like to ask the Senator a question. I did not hear the remark he made about this being my amendment and about it being referred to me.

Mr. HAWLEY. I thought the Senator said it was his.

Mr. CHANDLER. I said I moved it in committee, but it was unanimously adopted by the committee; and when the Senator comes here from the Military Affairs Committee and makes a proposition, I never get up and say it is his amendment and not the amendment of the committee.

Mr. HAWLEY. I will take note of that remark. It may turn out to be true some time or other. I move to lay the amendment on the table, in case the chairman of the committee makes no objection.

Mr. CHANDLER. I have no objection to that after I have said a word on the subject.

The PRESIDENT pro tempore. Does the Senator from Connecticut withdraw his motion in order that the Senator from New Hampshire may be heard.

Mr. HAWLEY. I withdraw the motion and yield the floor.

Mr. CHANDLER. The argument of the Senator from Massachusetts brings up a point about which I wish to say a few words before this amendment is voted out of the bill, it being the only economy there is in it, and that is that the Senator from Massachusetts presents an argument in favor of a land navy, and that is what I am opposed to. The Senator finally placed his argument in favor of this large marine force upon the necessity of taking care of our naval stations on land.

We have too much of that. The Navy ought to go to sea. The young men of the Navy ought to go to sea at least in the proportion of three at sea to one on shore, and the older officers ought to go to sea as much as they can be sent to sea, because, disguise the fact as it may, it is not so agreeable to be on the ocean on duty as it is to be on land on duty, and it is a constant effort to keep the naval officers on the element to which they belong. The tendency toward a land navy is growing greater and greater all the time.

We once had our apprentices, the 2,500 apprentices who have been spoken of here, young boys who are being trained to be seamen, trained on ships. We once had them put on salt water, either on a ship in the harbor or on a ship cruising outside, in order that they might learn to become seamen. Now we have barracks for them. We have buildings for them. We have shore stations for them, and we are keeping school for them on land. By and by, after we have taught them on land arithmetic and the English branches, then we try to get them to sea, and some of them go to sea. They get a good education until they are 21, and then some of them go to sea and the rest of them stay on shore.

Mr. BACON. Will the Senator pardon me for an inquiry? The Senator has made a very startling statement, at least startling to me, that half of the naval officers are on shore, to the number of six or seven hundred. I should be very glad if the Senator would indicate in what manner this large number of naval officers are employed on shore?

Mr. CHANDLER. If the Senator will go through the Naval Register he will find out. I can not tell except in a general way. There is a statement before the Senate, called for by the Senate at this session, which shows the figures to be as I have stated them—between six and seven hundred naval officers at sea and between six and seven hundred on duty on land. Those are the proportions. They are at the navy-yards; they are at the Navy Department; they are distributed around the country in one employment or another.

But there the fact stands, that they are not at sea, and the apprentices are not at sea; and a very small proportion, I tell the Senator from Massachusetts, of the marines are at sea. If we were to take an account of the marines, I presume less than half are at sea. Perhaps the Senator from Maine can tell me. I venture to make the guess that not half of the marines are at sea; that more than half are on shore duty.

Mr. LODGE. If the Senator will allow me for a moment, as he has referred to me, I will say that I agree most cordially with everything he has said about apprentices and line officers. Marines are not seamen. They have peculiar duties, and part of their duties are necessarily shore duties. I do not think they come under the same head. But in anything the Senator from New Hampshire can do to have the apprentices taught to be seamen and kept out of barracks he will have my most cordial support.

Mr. CHANDLER. I should not get any votes here if I insisted upon it that we should not have a schoolhouse on shore for them and insisted that they ought to be taught on the deck of a ship.

Mr. LODGE. The Senator would get my vote.

Mr. TELLER. I wish to ask the Senator from New Hampshire a question, if he will permit me. He complains that the apprentices are on shore. Why are they on shore? Whose business is it to keep them afloat? Whose fault is it? It is not the fault of the law.

Mr. CHANDLER. It is the fault of Congress for constructing buildings and schoolhouses for them on shore. I have called this subject to the attention of the Senate before, but the appropriation for buildings on shore for the apprentices has always carried in spite of all my opposition. They are taught the English branches; they are drilled in military drill, and by and by, after a little while, some of them are taken from the barracks and put on board vessels of the Navy; but they hate to go, because they are more happy and more comfortable on land.

Mr. TELLER. I should like to state to the Senator that while in Cuba recently I saw a ship there that had been on a cruise of nine months, they told me, with a hundred and forty apprentices. The officers told me that they had a regular school on board. It seemed to me to be a good thing.

Mr. CHANDLER. Can the Senator tell me what ship it was? Was it a training ship?

Mr. TELLER. I can not tell.

Mr. CHANDLER. There are training ships, and the apprentices take cruises in those ships; and that is where they ought to be all the time. They ought not to have homes provided for them on shore.



The Senator from California is an adept on the subject of educating seamen on shore. I should like to have him make a statement. He knows more about the whole course of proceedings in connection with naval apprentices than I do.

Mr. PERKINS. Mr. President, my sympathies are naturally with the bluejackets, with the sailors. A year since my friend the Senator from New Hampshire and I had several conversations in relation to the Marine Corps. We all know his great experience in naval affairs. We defer to him in a great measure. He advocated this increase in the Marine Corps. I remember his language. It now passes before me vividly like a panorama. He said: "When you were a sailor boy they used square-rigged ships, propelled by sails. You had to man the yards and the sails and the ropes; but to-day there has been a great transition from the sailing vessel to the steamship, and now there are no masts on most of our men-of-war. There are not a half a dozen vessels in the Navy that are propelled by sail, or if they are it is auxiliary to the steam. Therefore it is all-important, it is all-necessary, that there should be a Marine Corps." He used such persuasive, such logical, arguments that I finally concurred with him and voted for the conference report in relation to the Marine Corps. The result of that is that we have to-day in the Marine Corps a brigadier-general commandant—by the grace of our friend, the Senator from New Hampshire—adjutant and inspector, with the rank of colonel; an assistant adjutant and inspector, a major; 1 quartermaster; 2 assistant quartermasters; 3 assistant quartermasters, with the rank of captain; 1 paymaster, colonel; 1 assistant paymaster, major; 4 colonels; 5 lieutenant-colonels; 10 majors; 37 captains—

Mr. CHANDLER. Will the Senator right there, down to the point he has reached, name a single officer who ever goes on the ocean?

Mr. PERKINS. I am coming to that in a moment. Forty-four lieutenants, 30 second lieutenants, and then noncommissioned officers, musicians, and privates, aggregating a total number of 4,537 who comprise the Marine Corps.

My friend is thoroughly conversant with what our Marine Corps have accomplished. In every place where they have ever landed—in Cuba, in the Philippines—they have performed their duty with credit to themselves and with great valor. They are deserving of credit, and the Navy Department and everyone who has considered the matter are unanimous in saying that the Marine Corps have done splendid service acting with the sailors. They have been the assaulting party on shore.

But, aside from what the Senator from New Hampshire says in regard to marines on board of the battle ships and cruisers, they are the police officers. They are stationed at the gangways. They are stationed at different parts of the ship and stand their watch the same as sailors. They keep discipline on board. They assist in manning the guns. They are skilled in the manual of arms, and they work side by side with the sailors on board the ship. Of course every sailor is somewhat prejudiced against the marines, so to speak, or they were in the days when Marryat wrote his story of Midshipman Easy and Peter Simple. But the transition from sailing vessels to steamships makes it very different. The marines take care of the guns. They assist in polishing them and they assist in every other department of the ship, and they are as necessary—

Mr. HAWLEY. And in firing the guns?

Mr. PERKINS. In manning and working the guns; and they are as necessary on board ship as the firemen in the fire room or the engineer in the engine room.

Now, one word as to the apprentices. My friend may be thoroughly conversant with what the apprentices do who sail out of Portsmouth, N. H., or those who sail out of Boston, but those who are on the Pacific coast spend three-fourths of their time at sea, and since the bill became a law increasing our apprentices from 1,000 to 2,500 we have enlisted in San Francisco alone over 500 splendid young men as apprentices in the Navy, who are to-day learning seamanship, learning the art of gunnery, learning everything that is connected with the affairs of a ship, her navigation, and her manning and equipment. They are at sea, as I said, over three-fourths of the time. While those in the East may have influential friends who secure permission for them to remain on shore most of the time, as the Senator has stated, it is not so on the Pacific coast. I think my friend is mistaken there, but admitting they are on shore half the time, is it not necessary that they should have some opportunity of exercising, some opportunity of drilling on shore, as well as on shipboard?

There is no arm of the service to-day that is doing more to build up our Navy than the apprentice school. Where we have spent one dollar for apprentices we have spent a hundred dollars for officers who are on shore. I believe that it is wise for us to foster and build up our Navy, by having American boys, who represent American homes, man American ships, built by American mechanics, flying Old Glory at the peak. I believe, with modern ships, such as we now have, it is proper that we should have an efficient Marine Corps to assist in disciplining, to assist in policing

the ships, always subject to the command of the executive officer of the ship to go on shore to assault an enemy or to assist in manning the boat or in performing any other duty that they may be called upon to perform.

Mr. President, I believe this amendment should not prevail. I believe we have not provided for too many in the Marine Corps to-day. While it is true that we have 20,000 sailors and apprentices, yet it would require 32,000 seamen and apprentices to man all the ships that we have to-day were they in service. It is certainly as necessary to have marines in our navy-yards, to have them on the quays and the docks where navy-yards are located, as it is to have soldiers in the barracks to guard the entrance.

I believe there are not too many provided for in this bill. I should not have differed with the Senator from New Hampshire by giving expression to my views had he not taken issue on land sailors. It is generally true that those who know the least about the sea from practical experience have the most to say about it. I think it is well for all of us to profit by the experience of those whom the Government has educated and who to-day are advising us what we should do toward manning and equipping our Navy.

Mr. HALE. I wish the Senator from Connecticut would renew the motion.

Mr. HAWLEY. I renew the motion to lay the amendment on the table.

Mr. CHANDLER. Wait a moment.

Mr. HAWLEY. I renew it.

Mr. CHANDLER. Let me state—

The PRESIDENT pro tempore. The Senator from Connecticut moves to lay the amendment on the table.

Mr. CHANDLER. I wish to say a word.

Mr. TELLER. Say it afterwards.

Mr. CHANDLER. No; I will say it now, if the Senator from Connecticut will allow me. Will the Senator permit me?

Mr. HAWLEY. I should like to know how long the remark will be? I withdraw my motion again.

Mr. CHANDLER. I will read one line from the report accompanying this bill.

Amount as reported to Senate, \$63,123,616.67.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Connecticut to lay on the table the amendment of the committee. [Putting the question.] By the sounds the ayes have it.

Mr. TILLMAN. I ask for the yeas and nays.

Mr. HALE. I hope the Senator will not do that.

The yeas and nays were ordered.

Mr. CLAY. I ask that the amendment may be reported.

Mr. TELLER. Let the amendment be stated.

The PRESIDENT pro tempore. The amendment will again be stated.

The SECRETARY. As proposed to be amended the amendment would read:

From and after the passage of this act no further original appointments of officers, except to fill vacancies in the number then existing, and no further enlistments in the number then existing of noncommissioned officers and privates in the Marine Corps shall be made without further authority from Congress.

Mr. CHANDLER. Before the amendment is voted upon I should like to have the word "original" stricken out. It has no significance.

The PRESIDENT pro tempore. The word "original" will be stricken out.

Mr. HALE. I appeal to the Senator from South Carolina. Is he not willing to let the matter go, as the vote was so apparently unanimous?

Mr. TILLMAN. I think we ought to know on the matter of economy.

Mr. HALE. I will not argue the point.

Mr. TILLMAN. As the Senator from New Hampshire says, it is the only thing where we did try to pare the butter a little thinner, and I think we ought to know who wants it thinner and who wants to spread it thicker.

Mr. BATE. Is it the committee amendment which it is proposed to lay on the table?

The PRESIDENT pro tempore. It is the committee amendment which it is proposed to lay on the table.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. WETMORE], who is absent.

Mr. CAFFERY (when his name was called). I have a general pair with the Senator from Michigan [Mr. BURROWS]. Not knowing how he would vote on this question, I withhold my vote.

Mr. PLATT of New York (when his name was called). I am paired with the Senator from Idaho [Mr. HEITFELD]. Not knowing how he would vote, I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. SCOTT (when his name was called). I am paired with the

junior Senator from Florida [Mr. TALIAFERRO]. I do not see him in the Chamber at present, and I withhold my vote.

The roll call was concluded.

Mr. SCOTT. I transfer my pair to the Senator from Michigan [Mr. McMILLAN], and vote "yea."

Mr. QUARLES (after having voted in the affirmative). It escaped my attention that the Senator from Texas [Mr. CULBERSON] is not in his seat. I have a general pair with the Senator from Texas, and I therefore will withdraw my vote.

Mr. HALE. I suggest to the Senator that he transfer his pair to the Senator from Rhode Island [Mr. WETMORE].

Mr. QUARLES. It is suggested that I transfer my pair to the Senator from Rhode Island [Mr. WETMORE] who is absent. I will do so, and let my vote stand.

The result was announced—yeas 30, nays 14; as follows:

## YEAS—30.

Allison,	Frye,	McEnergy,	Scott,
Bard,	Hawley,	Martin,	Shoup,
Burrows,	Hoar,	Nelson,	Simon,
Caffery,	Kean,	Perkins,	Spooner,
Carter,	Kenney,	Pettus,	Stewart,
Fairbanks,	Kyle,	Platt, Conn.	Thurston.
Foraker,	Lodge,	Quarles,	
Foster,	McComas,	Ross,	

## NAYS—14.

Bate,	Gallinger,	Jones, Ark.	Turley,
Berry,	Hale,	Rawlins,	Vest.
Chandler,	Hanna,	Teller,	
Clay,	Harris,	Tillman,	

## NOT VOTING—43.

Aldrich,	Cullom,	McBride,	Pritchard,
Allen,	Daniel,	McCumber,	Proctor,
Bacon,	Davis,	McLaurin,	Sewell,
Baker,	Deboe,	McMillan,	Sullivan,
Beveridge,	Depew,	Mallory,	Taliaferro,
Butler,	Elkins,	Mason,	Turner,
Chilton,	Gear,	Money,	Warren,
Clark, Mont.	Hansbrough,	Morgan,	Wellington.
Clark, Wyo.	Heitfeld,	Penrose,	Wetmore,
Cockrell,	Jones, Nev.	Pettigrew,	Wolcott.
Culberson,	Lindsay,	Platt, N. Y.	

So the amendment was laid on the table.

Mr. HALE. Now, if the Senate will permit, the Secretary will read on a few pages only, covering routine appropriations, until we come to page 63, the "increase of the Navy," which involves the controverted items, and I will then ask the Senate to adjourn.

Mr. TELLER. Mr. President, I should like to say a word. Some reference has been made to the apprentice system. I understand that originally the apprentice system provided that a young man who entered as an apprentice could by some method get into Annapolis as a cadet, but that privilege has been withdrawn recently from that class of apprentices. I wish to know how that happened and why it is.

Mr. PERKINS. There has been no law providing that any apprentices in their regular gradation or advancement are entitled to appointment at the Naval Academy at Annapolis. I offered an amendment, but the committee, or a majority of them, did not agree to it. To-morrow, at the proper time, I shall offer that amendment, and I hope that I shall have the cooperation and support of my friend from Colorado.

Mr. TELLER. Does that amendment enable them to go into the Academy?

Mr. PERKINS. It enables the President to appoint them upon certain recommendation, if they pass the necessary physical and mental examination.

The PRESIDENT pro tempore. The reading of the bill will be continued.

The Secretary resumed the reading of the bill.

The next amendment of the Committee on Naval Affairs was, on page 59, line 24, before the word "thousand," to strike out "twenty" and insert "twenty-five," and in line 25, after the word "dollars," to insert the following proviso: "Provided, That \$4,200 of the foregoing appropriation shall be applied to the restoration of the sewer system for the Marine Barracks, Mare Island," so as to make the clause read:

For repairs of barracks, Marine Corps: Repairs and improvements to barracks and quarters at Portsmouth, N. H.; Boston, Mass.; Newport, R. I.; New York, N. Y.; League Island, Pa.; Annapolis, Md.; headquarers and navy-yard, District of Columbia; Norfolk, Va.; Port Royal, S. C.; Pensacola, Fla.; Mare Island, Cal.; Bremerton, Wash., and Sitka, Alaska; for the renting, leasing, improvement, and erection of buildings in Porto Rico, the Philippine Islands, at Guam, and at such other places as the public exigencies require; and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and other public buildings, \$25,000: *Provided, That \$4,200 of the foregoing appropriation shall be applied to the restoration of the sewer system for the Marine Barracks, Mare Island.*

The amendment was agreed to.

The next amendment was, on page 63, line 21, after the word "dollars," to strike out the following proviso:

*Provided, That \$4,200 of the foregoing appropriation shall be applied to the restoration of the sewer system for the Marine Barracks, Mare Island.*

The amendment was agreed to.

Mr. HALE. I will not undertake to proceed further to-night, but will try to get the bill up to-morrow morning after the routine morning business.

Mr. TILLMAN. Mr. President—

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

Mr. TILLMAN. Before the Senator makes that motion, I feel that it is necessary for me to give notice that when the provision of the naval appropriation bill comes up to-morrow relating to armor plate I shall ask the Senate to consider it in secret legislative session, because of some facts that can not be brought out in debate in any other way. I think it is nothing but right that that should be understood.

Mr. CHANDLER. Mr. President, I shall join in that motion.

## SENATOR FROM MONTANA.

Mr. HOAR. Mr. President, last week the Senate postponed the resolve in regard to the Clark case to a time certain, namely, Thursday, immediately after the routine morning business. I think an order of that kind ought to appear, like special orders and the unfinished business and notices, on the first page of the Calendar for the information of Senators. Without raising the question whether that omission is proper or improper, I respectfully ask consent that the Chair shall direct such orders to appear in the list on the first page of the Calendar.

The PRESIDENT pro tempore. The Chair directs that such orders shall appear on the Calendar.

## EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, May 8, 1900, at 12 o'clock meridian.

## NOMINATIONS.

*Executive nominations received by the Senate May 7, 1900.*

## CONSULS.

Everett E. Bailey, of Illinois, to be consul of the United States at Ensenada, Mexico, to fill an original vacancy.

Richard M. Bartleman, of Massachusetts, now consul of the United States at Malaga, Spain, to be consul of the United States at Geneva, Switzerland, vice Benjamin H. Ridgely, transferred to Malaga.

Benjamin H. Ridgely, of Kentucky, now consul of the United States at Geneva, Switzerland, to be consul of the United States at Malaga, Spain, vice Richard M. Bartleman, transferred to Geneva.

Henry Bordewich, of Minnesota, now consul of the United States at Christiania, Norway, to be consul-general of the United States at that place, to take effect July 1, 1900.

## CONSUL-GENERAL.

James C. McNally, of Pennsylvania, now secretary of legation and consul-general of the United States at Guatemala City, Guatemala, to be consul-general of the United States at that place.

## SECRETARY OF LEGATION AND CONSUL-GENERAL.

Edward D. Winslow, of Illinois, now consul-general of the United States at Stockholm, Sweden, to be secretary of legation and consul-general of the United States at that place, to take effect July 1, 1900.

## POSTMASTER.

John M. Oat, to be postmaster at Honolulu, Territory of Hawaii, (This appointment is made under the provisions of the act of Congress entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.)

## APPOINTMENTS IN THE VOLUNTEER ARMY.

## Fortieth Infantry.

First Sergt. Oliver P. Robinson, Company F, Fortieth Infantry, United States Volunteers, to be second lieutenant, April 27, 1900, vice Anderson, honorably discharged.

First Sergt. Tom B. Ellis, Company H, Fortieth Infantry, United States Volunteers, to be second lieutenant, April 27, 1900, vice Utterback, promoted.

## PROMOTION IN THE VOLUNTEER ARMY.

## Thirty-fifth Infantry.

Second Lieut. Louis S. Chappelle, Thirty-fifth Infantry, United States Volunteers, to be first lieutenant, April 26, 1900, vice Cameron, appointed captain, Squadron Philippine Cavalry.

## PROMOTION IN THE NAVY.

Lieut. (junior grade) Thomas J. Senn, to be a lieutenant in the Navy from the 31st day of December, 1899, vice Lieut. Horace M. Witzel, promoted.



# CONFIRMATIONS.

*Executive nominations confirmed by the Senate May 7, 1900.*

## CONSUL.

Thomas T. Prentiss, of Massachusetts, now consul at Rouen, to be consul of the United States at Batavia, Java.

## PROMOTIONS IN THE NAVY.

Commander James H. Dayton, to be a captain in the Navy, from the 29th day of March, 1900.

Lieut. Commander William H. Turner, to be a commander in the Navy, from the 29th day of March, 1900.

Lieut. Commander Herbert Winslow, to be a commander in the Navy, from the 27th day of March, 1900.

Lieut. Edward E. Wright, to be a lieutenant-commander in the Navy, from the 29th day of March, 1900.

## DISTRICT JUDGE.

Smith McPherson, of Iowa, to be United States district judge for the southern district of Iowa.

## SUPERVISORS OF TWELFTH CENSUS.

William T. Bedford, of La Salle, Ill., to be a supervisor of the Twelfth Census for the Fifth supervisor's district of Illinois.

Mr. Andrew R. Venable, of Farmville, Va., to be a supervisor of the Twelfth Census for the Fourth supervisor's district of Virginia.

## POSTMASTER.

Senorita V. Alexander, to be postmaster at Elizabethton, in the county of Carter and State of Tennessee.

# HOUSE OF REPRESENTATIVES.

MONDAY, May 7, 1900.

The House met at 12 o'clock m.

The Rev. HENRY N. COUDEN, D. D., Chaplain of the House, offered the following prayer:

We bless Thee, Almighty God, that we are living in this age of progress, under a republican form of government and the benign influences of the Christian religion, and we thank Thee for that philanthropic spirit abroad in our land which is working to the uplift of humanity and the betterment of all classes and conditions of men; but we deprecate that spirit of pessimism which is walking up and down through the land preaching a gospel of despair, sowing the seeds of discontent and disloyalty. Help us, we pray Thee, to discern clearly between the wheat and the chaff, the gold and the dross, the true and the false, that we may go forward under the inspiration of the Christian religion to hope and progress. Hear us in the name of Christ our Lord. Amen.

The Journal of Saturday's proceedings was read.

Mr. SULZER. Mr. Speaker, I move to suspend the rules for the purpose of passing the following resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from New York is out of order. The Journal has not been approved. Without objection, the Journal will be considered as approved. [After a pause.] The Chair hears none.

## THE TWELFTH CENSUS.

The SPEAKER laid before the House the bill H. R. 10696, an act relating to the Twelfth and subsequent censuses, and giving the Director thereof additional power to print in certain cases, and for other purposes, with Senate amendments.

The Senate amendments were read.

Mr. RUSSELL. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

Mr. BINGHAM was recognized.

Mr. SULZER. Mr. Speaker, I thought I had the floor.

The SPEAKER. The gentleman from New York was not recognized.

Mr. SULZER. I understood that I had the floor and would be recognized as soon as the Journal was approved.

The SPEAKER. The gentleman from New York was not recognized, and the Chair may as well state that the Chair will recognize no gentleman unless he has some knowledge of what is going to be called up.

Mr. SULZER. I would like to have the resolution read.

The SPEAKER. The gentleman has not been recognized.

Mr. BINGHAM. I ask unanimous consent for the present consideration of the bill (S. 3537) to grant authority to change the name of the steamship *Paris*.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. SULZER. I object.

The SPEAKER. Objection is made by the gentleman from New York.

# UNITED STATES COURTS AT OCALA.

Mr. DAVIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10780) to provide for sittings of the circuit and district courts of the southern district of Florida in the city of Ocala, in said district.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in addition to the times and places now fixed by law for the sitting of the circuit court of the United States for the southern district of Florida there shall be a session of the said circuit court in the city of Ocala on the third Monday in January in each year hereafter.

SEC. 2. That there shall be a regular term of the district court of the United States for the southern district of Florida in the city of Ocala on the third Monday in January in each year hereafter.

With the following amendments, recommended by the committee:

After the word "circuit," in line 4, insert the words "and district;" also strike out the word "court," in same line, and insert "courts;" so that it will read "circuit and district courts."

Strike out the words "circuit court," in line 6, and insert the word "courts."

After the word "hereafter," in line 7, add the following words: "Provided, That the county in which said courts are to be held shall furnish suitable rooms and accommodations for the holding thereof, free of expense to the Government of the United States."

Strike out section 2.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask if this has been reported by the committee?

Mr. DAVIS. It has; by the Judiciary Committee.

Mr. PAYNE. A unanimous report?

Mr. DAVIS. Yes; a unanimous report.

Mr. PAYNE. It simply provides for a change in the time and place of holding the court?

Mr. DAVIS. Yes.

Mr. LANHAM. I will say to the gentleman from New York that it provides that it shall be done at the expense of the county where the courts are being held, and there is no additional expense to the United States Government.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. DAVIS, a motion to reconsider the last vote was laid on the table.

Mr. SULZER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. SULZER. I rise for the purpose of moving a suspension of the rules, this being suspension day, for the purpose of passing a resolution sympathizing with the patriotic Boers in their struggle to maintain their freedom and independence.

The SPEAKER. The Chair declines to recognize the gentleman from New York at this time.

Mr. SULZER. Does the Chair refuse to recognize me because—

The SPEAKER. The gentleman from New York is out of order.

Mr. SULZER (continuing). The Speaker is opposed to the resolution?

The SPEAKER. The gentleman will take his seat; the gentleman is out of order.

Mr. SULZER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SULZER. My parliamentary inquiry is, Have I no rights on the floor of this House, as a member, to move a suspension of the rules on suspension day?

The SPEAKER. The gentleman is not making a parliamentary inquiry. The Chair must exercise his duty to this House and recognize members upon matters which the Chair thinks should be considered.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 10379. An act to provide for sittings of the circuit and district courts of South Carolina in the city of Florence, S. C.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 6250) extending the time for proof and payment on lands claimed under the desert-land law of the United States by the members of the Colorado Cooperative Colony in southwestern Colorado, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HANSBROUGH, Mr. CARTER, and Mr. SULLIVAN as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 8582) making appropriations for the support of the Regular and Volunteer Army for the fiscal year



ending June 30, 1901, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAWLEY, Mr. SEWELL, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9711) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PERKINS, Mr. WARREN, and Mr. PETTIGREW as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate numbered 333, granting an increase of pension to Margaret H. Kent.*

#### MESSAGE FROM THE PRESIDENT.

A message from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, announcing that the President had approved and signed bills and joint resolution of the following titles:

On April 30, 1900:

H. R. 4604. An act to amend the charter of the East Washington Heights Traction Railroad Company; and

H. R. 9566. An act authorizing the establishment of a light and fog signal on the new breakwater, harbor of refuge, Delaware.

On May 3, 1900:

H. J. Res. 168. Joint resolution for change in location of aids to navigation on Simmons Reef and Lansing Shoal in Lake Michigan; and

H. R. 6868. An act to amend an act authorizing the terms of the district court of the United States for the southern district of Mississippi to be held hereafter at Biloxi.

On May 4, 1900:

H. R. 8962. An act to authorize the New Orleans and Northwestern Railway Company, its successors and assigns, to build and maintain a bridge across Bayou Bartholomew, in the State of Louisiana;

H. R. 10097. An act to authorize the Atlantic and Gulf Short Line Railroad Company to build, construct, and maintain railway bridges across the Ocmulgee and Oconee rivers within the boundary lines of Irwin, Wilcox, Telfair, and Montgomery counties, in the State of Georgia; and

H. R. 7945. An act to amend an act entitled "An act permitting the building of a dam across Rainy Lake River."

On May 5, 1900:

H. R. 8585. An act to amend an act entitled "An act to prevent forest fires on the public domain," approved February 24, 1897;

H. R. 2331. An act granting an increase of pension to Festus Dickinson;

H. R. 856. An act granting a pension to Mary McCarthy;

H. R. 4335. An act granting a pension to William H. Edmunds;

H. R. 5970. An act granting a pension to Phebe S. Riley;

H. R. 4267. An act granting an increase of pension to Ezra A. Bennett; and

H. R. 7599. An act granting an increase of pension to John F. Crawford.

#### CHANGING NAME OF STEAMSHIP PARIS.

Mr. BINGHAM. I renew my request for unanimous consent to consider Senate bill 3537, which has already been read this morning.

Mr. RICHARDSON. I would very much like to have the gentleman make some explanation of this bill before the question is taken on giving consent.

Mr. BINGHAM. I ask for the reading of the report, which will take but half a minute.

The SPEAKER. Without objection, the Clerk will read the report.

There was no objection.

The Clerk read as follows:

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (S. 3537) to change the name of the steamship *Paris*, having considered the same, report as follows:

The steamship *Paris* belongs to the International Navigation Company and is one of the fleet of four steamships constituting the American trans-Atlantic mail service. The names of the other steamships of the fleet are those of American cities. The company desires to bring the name of this vessel into conformity with the names of other vessels of its mail fleet.

By section 5 of the act of July 5, 1884, the Commissioner of Navigation is empowered to change the names of vessels of the United States under such restrictions as may have been or shall be prescribed by act of Congress. By the act of March 2, 1881, Congress has prescribed as a condition to the change of name of a vessel that it shall be free from debt. Even with the consent of the mortgagees we are advised the change of name of a vessel can not be granted under the provisions of law referred to without an act of Congress. The four vessels of the American Line are covered by a mortgage to secure

an issue of bonds, which makes a special act of Congress necessary to effect the desired change of name.

In view of these facts the committee recommend the passage of the bill. Amend the bill by adding, after the word "*Paris*," in line 5, the words "to *Philadelphia*."

There being no objection, the House proceeded to the consideration of the bill; which is as follows:

*Be it enacted, etc.,* That the Commissioner of Navigation is hereby authorized and directed, upon application by the owners, to change the name of the steamship *Paris* to *Philadelphia*, official No. 150617.

Mr. RICHARDSON. "As I understand, this bill simply authorizes the change of the name of this vessel from *Paris* to *Philadelphia*."

Mr. BINGHAM. We propose to have the name *Philadelphia* stricken out, so as to give discretion to the Commissioner of Navigation to make the name whatever may be deemed proper. The amendment proposing to fix *Philadelphia* as the name of this steamer was introduced by inadvertence; and I am authorized by the chairman of the committee to ask that the words "to *Philadelphia*" be stricken out, so that the bill may pass the House in the form in which it came from the Senate.

The SPEAKER. The way to accomplish that object will be to vote down the amendment reported by the committee.

The question being taken, the amendment of the committee to add, after the word "*Paris*," in line 5, the words "to *Philadelphia*" was rejected.

The bill was then ordered to a third reading, read the third time, and passed.

On motion of Mr. BINGHAM, a motion to reconsider the last vote was laid on the table.

#### ARMS AND EQUIPMENTS FOR MILITIA.

Mr. MARSH. I am directed by the Committee on the Militia to move to suspend the rules and to pass, with the amendment reported by the committee, House bill 9510, to amend section 1 of the act of Congress approved February 12, 1887, entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia."

The bill was read, as follows:

*Be it enacted, etc.,* That section 1 of the act of Congress approved February 12, 1887, entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia," be, and the same is hereby, amended and reenacted so as to read as follows: "That the sum of \$2,000,000 dollars is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, quartermaster stores, and camp equipage for issue to the militia."

Mr. HAY. Upon the motion to suspend the rules I demand a second.

Mr. MARSH. I ask unanimous consent that a second be considered as ordered.

There was no objection; and it was ordered accordingly.

Mr. HAY. I ask for the reading of the amendment.

The SPEAKER. The amendment which is proposed by this motion to be incorporated as a part of the bill will be read.

The Clerk read as follows:

After the words "the sum of," in line 9, page 1, strike out "two" and insert "one;" so as to read "\$1,000,000."

Mr. MARSH. Mr. Speaker, in 1808 Congress appropriated \$200,000 per annum for ordnance, quartermaster's stores, etc., for the militia of the country. In 1887 that appropriation was increased to \$400,000 annually. This bill as amended provides that the annual appropriation be increased from \$400,000 to \$1,000,000. During the latter part of last winter there were assembled in this city 36 or 38 adjutant-generals of the 45 States, and it was their unanimous expression in a meeting before the committee that the annual appropriation, heretofore \$400,000, should be increased to \$2,000,000.

That suggestion was considered favorably by the committee, and the bill was reported with a provision making such an appropriation. On further consideration, however, owing to the large appropriations necessary to be made in this Congress, it was deemed wise to amend the bill by striking out \$2,000,000 and inserting \$1,000,000; and the Committee on the Militia, to which the subject-matter had been referred, reported the bill with such an amendment.

Mr. BARTLETT. Will the gentleman allow me one question?

Mr. MARSH. Certainly; but first let me say that this bill does not change in the slightest degree the existing law pertaining to the National Guard or the militia, except that it provides an annual appropriation of \$1,000,000 instead of \$400,000.

Mr. BARTLETT. That is the very point on which I intended to ask a question. I wanted to know whether the bill contemplated any change except the increase of the appropriation.

Mr. MARSH. It simply increases the appropriation. It confers no more power upon the National Government on the subject of the militia than exists to-day under the law. It does not change the law in one iota, except to increase the appropriation from \$400,000 annually to \$1,000,000 annually.



Mr. Speaker, under the existing law the State of Illinois receives about \$20,000 annually, while the legislature of that State appropriates from \$115,000 to \$220,000 a year. The State of Iowa receives in the neighborhood of \$7,000 a year. There are about 115,000 men in the National Guard; and let me call the attention of the House to the fact that it takes \$800,000 a year to maintain one regular cavalry regiment of 1,200 men. The wear and tear of horses, equipments, guns, carriages, clothing, etc., for a single cavalry regiment of the Regular Army amounts per year to \$800,000.

Why should not the American Congress give to the National Guard \$1,000,000 to provide for the expenditure necessary for the equipment of 115,000 men of that highly important body?

Mr. Speaker, we must all recognize the fact that the more efficient the National Guard is, the higher the degree of efficiency to which it may be brought, the more vital and important it becomes in our national defense; and, moreover, that efficiency reduces the need or tendency, in an equal degree, for a large standing army.

Now, I do not think there can be any serious opposition to the proposition. This bill meets with the approbation of the National Guard throughout the country, and I believe it meets with the approbation and approval of the governors of most of the States; and as proposed to be amended by the committee it was reported unanimously by the Committee on the Militia.

I reserve the remainder of my time.

The SPEAKER. The Chair recognizes now the gentleman from Virginia [Mr. HAY] in opposition to the motion, and the gentleman from Illinois reserves the remainder of his time.

Mr. HAY. Mr. Speaker, if there is any question which is of vital importance to the people of the United States it is the organization of the National Guard of the country. The experience that we have passed through in connection with the war with Spain has been such as to lead every man here on the floor of the House, and every thoughtful man, I am sure, throughout the country, to give careful consideration to the importance of the organization of that force as one of the bulwarks of the Republic on which we must lean in case of necessity.

Now, the bill presented by the gentleman from Illinois, on the motion submitted by him, I do not think should meet the approval of this body, because it does not conform, in my judgment, with the requirements of that highly important service. It simply increases the appropriation, already made by law, without making provision for greater efficiency of the National Guard, or making provision to meet the requirements of that body throughout the States of the Union. Every State in the Union has its own different organization at the present time. The organization of the National Guard ought to be, in my judgment, precisely on the same principles as the organization of the Regular Army.

The gentleman from Illinois has put this bill, unfortunately, in an attitude so that it can not be amended.

The Constitution of the United States provides, sir, that Congress shall have the power to organize, arm, and discipline the National Guard of the country, while the States shall have the power to appoint the officers to command that body and authority to carry out the discipline prescribed. It is, of course, essential, and perhaps vital, when increased appropriation is made for the National Guard, that there shall be attached to that appropriation conditions providing for organization and discipline, providing for literature, providing for the securing of ammunition, the latest style of rifles, and other necessities which are not at all provided for in the pending bill, and which can not be added by way of amendment.

The proposition presented, therefore, is of no value whatever as far as the service of this guard is to be promoted. This bill will not help the force at all. It will not increase the efficiency of the militia. It will not provide for a volunteer army which will be ready in case of war and thus obviate the creation of a great standing army. In addition to that, there is no provision, as far as I have been able to learn, by which there is any accountability to the Government on the part of the States for supplies, equipments, and so on, furnished to the National Guard in the States.

Mr. MARSH. Will the gentleman allow me just there?

Mr. HAY. I will yield to the gentleman for a question.

Mr. MARSH. I wish to ask the gentleman from Virginia if the same conditions to which he refers do not exist now in reference to the \$100,000 appropriation, and whether the only difference in the pending bill is not that it increases that appropriation to \$1,000,000?

Mr. HAY. That, Mr. Speaker, is hardly a question in connection with the subject that I have been discussing, but every member present knows that all of the property of the United States Government—I mean the portion of it that is turned over for the use of the National Guard—should be and ought to be accounted for in some way; and I am informed by the officials of the War Department that it has not been possible to get any satisfactory

accounting from the governors of some of the States. I assume that statement to be entirely true.

Now, I do not wish to consume the entire time allowed for this discussion. I believe I am entitled to twenty minutes under the rules, but in that time, if I used all of it, it would be impossible to discuss this bill as it ought to be discussed, and present its features properly before the House.

Mr. HENRY of Mississippi. Will the gentleman from Virginia yield to me for the purpose of asking a question?

Mr. HAY. Certainly.

Mr. HENRY of Mississippi. Is there anything in the pending bill which modifies or materially changes the present organization of the State militia? Is it not, on the contrary, a fact that the bill is in line exactly—I may say strictly in accordance—with the bill already on the statute books, the only difference being that this is an increase of the appropriation for the benefit of the National Guard throughout the States?

Mr. HAY. Not at all. The old law never encouraged the idea of a uniform discipline for the National Guard, and as a matter of fact the organization of the National Guard throughout the country is as diverse and different as are the States themselves. In one State they have the two-battalion organization, in another they have the three battalion, and so on; and it is of vital importance that the National Guard should be organized along the lines of the Regular Army, so that when they are called for, to be used for the benefit of the country, they will be ready to go in as an organization.

Mr. HENRY of Mississippi. The gentleman will admit that any kind of an organization looking to military discipline is better than no organization at all; and we just come now and ask you to give us this in order that we may put our people in line, on a military footing, whereby they can undertake this military discipline that the gentleman refers to.

Mr. HAY. You are simply asking for an increased appropriation without doing anything to make effectual the very organization that you are trying to appropriate for. Now, I can not be interrupted further—

Mr. HENRY of Mississippi. That is where the gentleman is mistaken. It provides for giving the militia organization a better equipment in arms and accouterments—

Mr. HAY. Not at all. It simply appropriates more money, and that is all it does, and you are seeking to appropriate money without getting any good from it.

Mr. HENRY of Mississippi. I ask the gentleman to read the last section.

Mr. HEPBURN. I should like to ask the gentleman a question, if I have his permission.

Mr. HAY. Certainly.

Mr. HEPBURN. I want to inquire if section 1628 of the Revised Statutes is now in force? Title XIV, is that now in force?

Mr. HAY. Is that the act passed in 1887?

Mr. HEPBURN. No; I think not. I think this is the act passed May 8, 1792.

Mr. HAY. Yes; that act is still in force. That old statute is still the law of the land.

Mr. BARBER. I should like to ask the gentleman—

The SPEAKER. Does the gentleman from Virginia yield to the gentleman from Pennsylvania?

Mr. HAY. Certainly.

Mr. BARBER. How would it be possible to bring about uniformity in the different State militia organizations, with the variations in the different State laws, unless you repeal all of the provisions of the separate State laws in those States having efficient organizations at the present time?

Mr. HAY. Why, under the Constitution of the United States, Congress has the power to pass a law for the organization and disciplining of the National Guard.

Mr. BARBER. But then would not the States have to entirely repeal their laws?

Mr. HAY. Oh, well, if we are going to give money to those organizations and States, we have a right to tack onto that appropriation proper conditions.

Mr. BARBER. Has not that already been done in the giving of this money?

Mr. HAY. Nothing has resulted from it yet.

Mr. BARBER. Have we any evidence that the national organization would prove any more efficient than our present State organizations?

Mr. HAY. Unquestionably so. If you have an organization provided for in a proper bill, there is no difficulty about that. Several such bills are now pending before this House, but gentlemen here want to put the cart before the horse. They want to get the appropriation, and then they tell us that after a while they will talk about the discipline and organization of the National Guard. Now, I can not yield further to my friend. How much time have I remaining?

The SPEAKER. The gentleman has twelve minutes remaining.



Mr. HENRY of Mississippi. Before the gentleman sits down I want to ask him a question.

Mr. HAY. I can not yield further. I yield five minutes to the gentleman from Indiana [Mr. STEELE].

Mr. STEELE. Mr. Speaker, I am in favor of an effective militia, something that, with the exception of a few States, we have never had in the United States, although we have appropriated large sums to that end. Under the present system whatever is appropriated goes to the several States, the States to do with it that which to them seems best. It would be natural to conclude that that would be the most appropriate way, but in the majority of States, with no better safeguards thrown around them than we have at present, the result has generally seemed to be that they do with what they get in such manner as to bring no great credit upon the several militia organizations in the United States.

It is proposed now to more than double the appropriation for the militia. It is within my memory, and that of other men in this House, where a State in this Union has secured arms for the purpose of arming the militia of the State, where they carried the arms to the city of New York and sold them and put the money in their pockets; and so far as the General Government was concerned, it had no redress. The General Government has no supervision such as is provided in the Constitution. Some of the States of the Union which are trying to have an effective militia ask for inspectors at their annual encampments, and are doing all that well can be done to have an effective militia organization. The States of New York, Pennsylvania, and Ohio are especially effective compared to other States. New Jersey does very well, and so does Massachusetts.

Mr. HENRY of Connecticut. And Connecticut.

Mr. STEELE. Connecticut is so small that I have not taken her into full account, and did not look her up. I think she is more effective than some of the States. Yes; more so, perhaps, than that of Indiana.

Mr. BOUTELL of Illinois. Well, what is the matter with Illinois?

Mr. STEELE. Oh, nothing. During the late war a majority of the States found that a great many of the men who were enlisted before the war were utterly incompetent for service—some physically, others because of business relations and family relations—and few States were prepared to send more than half of the enlisted men of the militia, the well-trained men, to the front in answer to the call of the President.

Mr. HENRY of Connecticut. Connecticut sent a full regiment of 1,200 militiamen, early in the service, and later on still sent another regiment.

Mr. STEELE. It sent a regiment, but it did not send the original militia organization.

Mr. HENRY of Connecticut. It sent a militia regiment—two militia regiments.

Mr. STEELE. It was recruited. Trained men went out, and others, not trained, perhaps, were taken in. That is just what I am talking about. It was so in Indiana, and we sent five as fine regiments to the front in this way as were ever organized, but not more than 30 or 40 per cent were trained when they were mustered in. We wish hereafter to be prepared, and to be we ought to secure uniform training and discipline. I hoped to offer an amendment, which I ask the Clerk to have read, and which I asked consent the other day to get into the bill. I would like to have the attention of the House, Mr. Speaker, to this amendment, that a very respectable number of the Committee on Militia favor. I ask to have it read as a part of my remarks.

The SPEAKER. That can be done. It can not be considered as pending.

Mr. STEELE. I know, sir.

The Clerk read as follows:

*Provided*, That such regulations as the Secretary of War may prescribe with reference to enlistments, equipments, and discipline are assented to and complied with.

*Provided further*, That no State or Territory shall be deprived of its pro rata share of appropriation until its legislature has met and had opportunity to pass upon the question.

The Secretary of War is authorized and directed to detail from time to time such number of officers, having had at least three years' experience with troops, for duty as inspectors of militia, as may in his opinion be necessary.

The officers so detailed shall make written reports of the results of their several inspections to the Secretary of War and to the governors of the States in which the troops are inspected.

[Here the hammer fell.]

The SPEAKER. The time of the gentleman has expired.

Mr. STEELE. I would like to have two or three minutes more.

Mr. HENRY of Mississippi. I ask that the gentleman may have two or three more minutes.

Mr. HAY. I yield two minutes more to the gentleman.

Mr. STEELE. In the very short time I have I want to state that I have written to the adjutant-general of the several States of the Union and have received nineteen replies. Thirteen of those replies are in favor of the amendment, six are in favor of an

appropriation of \$2,000,000, the appropriation that was pending when I wrote the letter. They are for "the appropriation and the old flag," that we all are generally, and did not want to interfere with it. But about every one of them recognized that such an amendment to the bill would be of advantage to the militia of the several States. I hoped that we might have an opportunity to vote upon that before we vote the appropriation.

Mr. HENRY of Mississippi. I desire to ask the gentleman a question.

The SPEAKER. Does the gentleman yield to the gentleman from Mississippi?

Mr. STEELE. I have no time to do so, or it would be a pleasure to me.

Mr. HENRY of Mississippi. I want to ask him if the amendment is not obnoxious to the Constitution?

Mr. STEELE. I think not, sir; I have inquired into it.

Mr. HENRY of Mississippi. Does it not take from the control of the States the militia?

Mr. STEELE. Not at all.

Mr. HENRY of Mississippi. And put it in the Secretary of War?

Mr. STEELE. I think not at all. I have consulted with some of our constitutional lawyers on this subject, and the amendment was submitted to the Secretary of War. It is provided for in the Constitution. It is a general provision and would, I think, insure the efficiency of the militia. Why, if the amendment is obnoxious to the Constitution it is obnoxious to make the appropriation. The idea of throwing money into a current and letting it float away ought to be more obnoxious still.

Mr. MARSH. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has fourteen minutes remaining.

Mr. MARSH. How much has the other side?

The SPEAKER. Five minutes.

Mr. MARSH. I yield five minutes to the gentleman from Nebraska [Mr. STARK].

Mr. STARK. Mr. Speaker, before the Committee on Militia two propositions are pending. One is a proposed bill tending to settle the organization, arming, and disciplining of the militia. One such bill has been introduced by the gentleman from Illinois [Mr. MARSH], and another bill has been introduced by the gentleman from Maine [Mr. BURLEIGH]. Both of these bills are now at the War Department, asking their views. The other proposition is a proposition to increase the appropriation for the maintenance of the National Guard, which has been formulated into H. R. 9510, and is the bill now under consideration. This bill only seeks to change the amount from \$400,000 to one million. It has received the unanimous indorsement of the minority of the Militia Committee, but so that we may all understand just what the act will be I will ask the Clerk to read the act of February 12, 1887.

Mr. MARSH. That is the act which this bill proposes to amend?

Mr. STARK. That is correct.

Mr. KING. Will the gentleman permit an inquiry?

Mr. STARK. Certainly.

Mr. KING. I would like to ask the gentleman from Nebraska, if measures are pending before the committee now for the organization, arming, and disciplining of the militia, what is the necessity for this bill? Why not incorporate all legislation into one act?

Mr. STARK. If you will wait a moment I will take that up.

The SPEAKER. The Clerk will read in the gentleman's time.

The Clerk read as follows:

An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia.

*Be it enacted, etc.*, That section 1661 of the Revised Statutes be, and the same is hereby, amended and reenacted so as to read as follows:

"SECTION 1. That the sum of \$400,000 is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, quartermaster's stores, and camp equipage for issue to the militia.

"SEC. 2. That said appropriation shall be apportioned among the several States and Territories under the direction of the Secretary of War, according to the number of Senators and Representatives to which each State respectively is entitled in the Congress of the United States, and to the Territories and District of Columbia such proportion and under such regulations as the President may prescribe: *Provided, however*, That no State shall be entitled to the benefits of the appropriation apportioned to it unless the number of regularly enlisted, organized, and uniformed active militia shall be at least its 100 men for each Senator and Representative to which such State is entitled in the Congress of the United States. And the amount of said appropriation which is thus determined not to be available shall be covered back into the Treasury.

"SEC. 3. That the purchase or manufacture of arms, ordnance stores, quartermaster's stores, and camp equipage for the militia under the provisions of this act shall be made under the direction of the Secretary of War, as such arms, ordnance and quartermaster's stores and camp equipage are now manufactured or otherwise provided for the use of the Regular Army, and they shall be receipted for and shall remain the property of the United States, and be annually accounted for by the governors of the States and Territories, for which purpose the Secretary of War shall prescribe and supply the necessary blanks and make such regulations as he may deem necessary to protect the interest of the United States.

"SEC. 4. That all arms, equipments, ordnance stores, or tents which may become unserviceable or unsuitable shall be examined by a board of officers of the militia, and its report shall be forwarded by the governor of the State



or Territory direct to the Secretary of War, who shall direct what disposition, by sale or otherwise, shall be made of them; and, if sold, the proceeds of such sale shall be covered into the Treasury of the United States.

[Became a law February 12, 1887, without the President's approval.]

All the arms procured by virtue of any appropriation authorized by law for the purpose of providing arms and equipments for the whole body of the militia of the United States shall be annually distributed to the several States of the Union according to the number of their Representatives and Senators in Congress, respectively; and all arms for the Territories and for the District of Columbia shall be annually distributed in such quantities and under such regulations as the President may prescribe. All such arms are to be transmitted to the several States and Territories by the United States. (Section 1667, Revised Statutes of the United States.)

Provided further, That hereafter the cost to the Ordnance Department of all ordnance and ordnance stores issued to the States, Territories, and District of Columbia, under act of February 12, 1887, shall be credited to the appropriation for "manufacture of arms at national armories" and used to procure like ordnance stores, and that said appropriation shall be available until exhausted, not exceeding two years. (1889, chapter 372, paragraph 4, page 679, volume 1, Supplement to Revised Statutes.)

1894, chapter 301, paragraph 16, page 256, volume 2, Supplement to Revised Statutes.

Arming and equipping the militia: The permanent annual appropriation made by the act of April 23, 1868, designated as section 1661 of the Revised Statutes, and which was increased to \$400,000 by the act of February 12, 1887, being for the procurement of ordnance and ordnance stores and quartermaster's stores and camp equipage for the use of the militia of the country, shall not lapse with the end of any fiscal year nor be turned into the surplus fund, but shall remain a permanent appropriation and be available for the several States and Territories and District of Columbia until expended as provided in said acts, or otherwise disposed of by Congress.

Mr. STARK. The adjutant-generals from the various States of the Union met at Indianapolis, Ind., January 23 and 24, 1900, and there they submitted a number of essays on the desirability of the organization of the militia. After they had talked the matter over they passed unanimously this resolution, and this only, which I ask to have read.

The Clerk read as follows:

"Resolved, That this association, representing the National Guard of the various States, urgently but respectfully requests the Congress of the United States at this present session to increase the annual appropriation for arming and equipping the militia from the sum of \$400,000 to the sum of \$2,000,000."

I hereby certify that the above is a true and correct copy of resolution adopted at the convention of the Interstate National Guard Association, held at the city of Indianapolis, State of Indiana, January 23 and 24, 1900.

C. I. BLEYER,

Secretary and Treasurer Interstate National Guard Association.

Mr. STARK. The reasons for reporting a bill for one million instead of two million dollars as requested by the resolution of the Interstate National Guard Association, has been stated by the chairman of the committee, the gentleman from Illinois [Mr. MARSH].

I notice that gentleman are anxious for the facts, and to the end that all may be advised I submit "War Department circular," under date of July 1, 1899, the one now in force, showing the apportionment made to the States and Territories:

[Circular.]

WAR DEPARTMENT, Washington, July 1, 1899.

The following act of Congress, amending section 1661, Revised Statutes, making an annual appropriation to provide arms and equipments for the militia, and the latest regulations which have been made by the President and the Secretary of War, respecting the distribution of the arms and equipments therein provided for, are published for the information of all concerned:

"An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia.

Be it enacted, etc., That section 1661 of the Revised Statutes be, and the same is hereby, amended and reenacted so as to read as follows:

"SECTION 1. That the sum of \$400,000 is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, quartermaster's stores, and camp equipage for issue to the militia.

"SEC. 2. That said appropriation shall be apportioned among the several States and Territories under the direction of the Secretary of War, according to the number of Senators and Representatives to which each State respectively is entitled in the Congress of the United States, and to the Territories and District of Columbia such proportion and under such regulations as the President may prescribe: *Provided, however*, That no State shall be entitled to the benefits of the appropriation apportioned to it unless the number of its regularly enlisted, organized, and uniformed active militia shall be at least 100 men for each Senator and Representative to which such State is entitled in the Congress of the United States. And the amount of said appropriation which is thus determined not to be available shall be covered back into the Treasury.

"SEC. 3. That the purchase or manufacture of arms, ordnance stores, quartermaster's stores, and camp equipage for the militia under the provisions of this act shall be made under the direction of the Secretary of War, as such arms, ordnance, and quartermaster's stores and camp equipage are now manufactured or otherwise provided for the use of the Regular Army, and they shall be receipted for and shall remain the property of the United States, and be annually accounted for by the governors of the States and Territories, for which purpose the Secretary of War shall prescribe and supply the necessary blanks and make such regulations as he may deem necessary to protect the interests of the United States.

"SEC. 4. That all arms, equipments, ordnance stores, or tents which may become unserviceable or unsuitable shall be examined by a board of officers of the militia, and its report shall be forwarded by the governor of the State or Territory direct to the Secretary of War, who shall direct what disposition, by sale or otherwise, shall be made of them; and, if sold, the proceeds of such shall be covered into the Treasury of the United States."

Received by the President, February 1, 1887.

WAR DEPARTMENT, Washington, D. C., June 26, 1899.

By direction of the President of the United States, the appropriation for the fiscal year ending June 30, 1900, made in pursuance of the act of Congress entitled "An act to amend section 1661 of the Revised Statutes, making an

annual appropriation to provide arms and equipments for the militia," is apportioned among the several States and Territories as follows:

State.	Representa- tion.	Amount.
Alabama	11	\$9,488.73
Arkansas	8	6,900.90
California	9	7,763.51
Colorado	4	3,450.45
Connecticut	6	5,175.67
Delaware	3	2,587.83
Florida	4	3,450.45
Georgia	13	11,213.96
Idaho	3	2,587.83
Illinois	24	20,702.70
Indiana	13	12,939.18
Iowa	15	11,213.96
Kansas	10	8,626.12
Kentucky	13	11,213.96
Louisiana	8	6,900.90
Maine	6	5,175.67
Maryland	8	6,900.90
Massachusetts	15	12,939.18
Michigan	14	12,076.57
Minnesota	9	7,763.51
Mississippi	9	7,763.51
Missouri	17	14,664.41
Montana	3	2,587.83
Nebraska	8	6,900.90
Nevada	3	2,587.83
New Hampshire	4	3,450.45
New Jersey	10	8,626.12
New York	36	31,054.05
North Carolina	11	9,488.73
North Dakota	3	2,587.83
Ohio	23	19,840.09
Oregon	4	3,450.45
Pennsylvania	32	27,008.60
Rhode Island	4	3,450.45
South Carolina	9	7,763.51
South Dakota	4	3,450.45
Tennessee	12	10,351.35
Texas	15	12,939.18
Utah	3	2,587.83
Vermont	4	3,450.45
Virginia	12	10,351.35
Washington	4	3,450.45
West Virginia	6	5,175.67
Wisconsin	12	10,351.35
Wyoming	3	2,587.83
Arizona		2,308.06
District of Columbia		6,992.08
New Mexico		2,240.18
Oklahoma		2,872.08
Alaska		
Total	447	400,000.00

By direction of the President of the United States, in conformity with the second section of the act entitled "An act to amend section 1661, Revised Statutes, making an annual appropriation to provide arms and equipments for the militia," the following regulations are prescribed for the distribution of arms, ordnance stores, quartermaster's stores, and camp equipage to the Territories and the District of Columbia.

1. Arms, ordnance stores, quartermaster's stores, and camp equipage shall be issued to the Territories on requisitions of the governor thereof, and to the District of Columbia on requisitions approved by the senior general of the District militia present for duty. Returns shall be made annually by the senior general of the District militia in the manner as required by sections 3 and 4 of the act above referred to, in the case of States and Territories.

2. It is forbidden to make issues to States and Territories in excess of the amount to their credit under the provisions of section 1661, Revised Statutes, as amended by the above act.

3. Any regulations established hitherto which in any way conflict with these are hereby revoked.

R. A. ALGER, Secretary of War.

#### REGULATIONS.

1. The appropriation made by section 1661, Revised Statutes, as amended by the act of Congress received by the President February 1, 1887 (24 Stat., 401), will be credited to the several States and to the Territories entitled to receive it, on the books of the War Department, in accordance with said act.

2. Requisitions for the arms, ordnance stores, and quartermaster's supplies provided for in the act will be made by the governors of the States and Territories direct to the Secretary of War.

3. When a requisition is received at the War Department, the Ordnance Department and the Quartermaster's Department will be required to give the money value of the stores called for and the War Department will determine and order which of said stores, number and character, shall be issued, and will so advise the Chief of Ordnance and Quartermaster-General.

4. All the public property issued under the provisions of this act shall be accounted for under the same regulations which now govern the accountability for public property in the Army, and the Chief of Ordnance and the Quartermaster-General will furnish the governors of the several States and Territories the necessary blank forms for making the required returns of the public property issued under the provisions of said act, and said annual returns shall be made on the 31st of December of each year, and shall be sent to the War Department for examination and settlement.

5. The Chief of Ordnance and the Quartermaster-General will issue the necessary instructions for the safe-keeping, preservation, and accountability of all public property issued.

6. The examination of the unserviceable or unsuitable public property provided for in section 4 of said act shall be made at least annually, and the proceedings of the board of officers of the militia will show in detail opposite each article on the inspection report, in what respect the property is unserviceable or unsuitable, and will also indicate in each case the disposition recommended by the board of inspection; and should the board recommend sale of the property, the recommendation will state whether by auction or by inviting bids from dealers or others likely to purchase such articles, stating reasons; and in the case of any public property rendered unserviceable through causes other than the ordinary incidents of service, the board will



investigate and report the causes and recommend to the Secretary of War the necessary action as to personal responsibility for the damages in each case.

7. The order of the Secretary of War directing a sale of condemned property will indicate the method of advertisement, which will generally be by means of circulars posted in public places and sent by mail to dealers and others likely to purchase, but if advertisement in newspapers is indicated, the provisions of A. R. 501-507 apply and request for special authority to advertise must be made upon prescribed forms, designating the newspapers in which advertisement is desired.

8. The net proceeds of a sale of condemned property after deducting necessary and reasonable expenses of advertising and auctioneer's fee, will be deposited by the governor in a United States depository, to the credit of the Treasurer of the United States; if received from sales of condemned quartermaster's supplies, the funds must be deposited as "miscellaneous receipts on account of proceeds of Government property;" if from sales of condemned ordnance stores, the deposit must be made on account of "sales of condemned ordnance stores."

9. Immediately after a sale of condemned property, an itemized report will be made by the governor to the chief of the bureau to which the property pertains, showing date and place of sale, quantity and kind of articles sold, prices obtained, names of purchasers, expenses of sale, and gross and net proceeds and accompanied by a copy of the order authorizing the sale and receipted vouchers for expenses of sale. The report to the Quartermaster-General will be made on Form No. 94, Quartermaster's Department, "Account of sales at auction;" that to the Chief of Ordnance on Form No. 8, Ordnance Department, "Abstract of sales," in duplicate.

R. A. ALGER, Secretary of War.

The following act of Congress, passed February 24, 1897, is also published for the information of those concerned:

FEBRUARY 24, 1897.

An act authorizing the Secretary of War to issue Springfield rifles to each State and Territory for the National Guards thereof in exchange for other rifles now held.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to issue to the governors of the several States and Territories such number of Springfield breech-loading rifles, caliber forty-five one-hundredths of an inch, as are now required for arming all of the regularly organized, armed, and equipped militia (generally known as the National Guard) of each State and Territory that are not already supplied with this arm: Provided, That each State or Territory be required on the receipt of the new arms to turn into the Ordnance Department, United States Army (without receiving any money credit therefor), an equal number of the arms now in its possession, except its Springfield rifles, caliber forty-five one-hundredths of an inch.

SEC. 2. That each State and Territory shall hereafter make an annual return to the Secretary of War of all the arms issued to them under this or any former act of Congress, as provided for in the act of February, 1887, making a permanent annual appropriation for arming and equipping the militia.

SEC. 3. That any State or Territory may, in addition to the stores and supplies issued under the provisions of this act and the act of February, 1887, purchase for the use of its National Guard or reserve militia, at regulation prices for cash at place of sale, such stores and supplies from any department of the Army as, in the opinion of the Secretary of War, can be spared.

Approved, February 24, 1897.

By order of the Secretary of War:

JOHN C. SCOFIELD, Chief Clerk.

Mr. STARK. As a basis of estimate I submit figures made for the State of Nebraska by myself, which I believe to be substantially correct:

Cost of quartermaster and ordnance stores to equip the present organization of the Nebraska National Guard to the maximum strength permitted by law.

The Nebraska National Guard is organized as follows:

Two regiments of infantry, 12 companies each.

One troop of cavalry.

One battery of artillery.

Total number of men permitted under the present organization, 1,758.

	Quartermaster stores.		Ordnance stores per 1,758 men.	Total cost of quartermaster and ordnance stores.
	Per man.	Per 1,758 men.		
Cost of quartermaster stores ..	\$31.50	\$45,377.00		\$45,377.00
Cost of ordnance stores .....	27.18		\$47,782.44	
Cost of modern two-gun battery (complete) .....			5,000.00	52,782.44
Total cost of modern quartermaster and ordnance stores to equip the Nebraska National Guard .....				98,159.44
Nebraska's apportionment under the increase, as per House bill No. 9510 .....				17,250.00

QUARTERMASTER STORES.		
One campaign hat .....	\$0.88	
One blouse .....	3.77	
One pair trousers .....	1.35	
One pair leggings .....	.50	
One pair shoes .....	2.16	
One pair stockings .....	.24	
Two suits underclothes .....	1.62	
One flannel shirt (dark blue) .....	1.90	
One overcoat .....	9.49	
One cap .....	.74	
One poncho .....	1.24	
One woolen blanket .....	3.23	
One shelter tent (each half, \$1.27) .....	1.27	
One common tent (one-fourth, \$8.41) .....	2.10	
Tent pins, 24 cents per set .....	.064	
Military cooking outfit and medical supplies .....	1.00	
Total cost of quartermaster stores for 1 man .....	31.504	

Cost of quartermaster and ordnance stores, etc.—Continued.

ORDNANCE.		
One rifle, with bayonet .....	\$13.72	
One blanket bag .....	1.00	
One blanket-bag shoulder straps (pair) .....	.75	
One blanket-bag coat straps (pair) .....	.75	
One bayonet scabbard, with hook .....	.83	
One cartridge belt (woven) and plate .....	1.25	
One canteen .....	.53	
One canteen strap .....	.30	
One gun sling .....	.48	
One haversack .....	.83	
One haversack strap .....	.58	
One meat can .....	.50	
One tin cup .....	.10	
One knife .....	.16	
One fork .....	.21	
One spoon .....	.11	
Two hundred rounds of cartridges, \$2.55 per 100 .....	5.10	

Total cost of ordnance stores for 1 man .....

27.18

Mr. STARK. It must be kept in mind that this apportionment is for the purpose of providing arms, ordnance stores, quartermaster stores, and camp equipage for issue to the militia. No money goes to the States or Territories. The governor makes requisitions for issue to his State, and the same are honored up to the amount of money apportioned to such State. The title to all property is at all times in the United States, and the act of February 12, 1887, read from the Clerk's desk a few moments ago, shows the methods of accounting for the same by the States and Territories.

When the President issued his call for troops under date of April 23, 1898, he said:

It is the wish of the President that the regiments of the National Guard or State militia shall be used as far as their numbers will permit, for the reason that they are armed, equipped, and drilled.

All of you know of the instant and splendid response made by the National Guard of the States and Territories. When they went to the field not only did they take all the property of the United States with them, but all of the property of the States that had been provided by appropriations of their respective legislatures. I have no doubt that in due time all these accounts will be adjusted between the United States and the several States, but in that hour of emergency patriotism so dominated their action that matters of property were not considered.

At this time and for a long time in the future, because of the Spanish-American war, the States are and will be without military property, and because of such state of facts this committee were convinced that the proper thing to do was, as an emergency measure, to increase the appropriation to the end that they might have an immediate issue to them of necessary military property, leaving the other proposition of organizing, arming, and disciplining the militia to a more convenient season. It is an intricate subject and requires much thought and research to get the needed legislation in proper form. [Applause.]

Under the leave to extend, I will print, as a part of my remarks, an article on the Swiss system of militia, taken from the Philadelphia Evening Telegram, issue of Friday, February 2, 1900.

SWISS SYSTEM THE REMEDY—THE BOERS HAVE A SIMILAR CITIZEN ARMY AND THEY HAVE BEEN SUCCESSFUL—THE PRINCIPLES EMPLOYED.

LONDON, January 22, 1900.

For some years to come one of the principal subjects of discussion in England will be the question of the reconstruction of the army. To all lovers of freedom a Pretorian army has always seemed a standing menace. But for such armies there would have been no Cæsars, no Napoleons, nor would Cromwell have so easily removed the "bauble" from the table of the House of Commons. That Pretorian armies are a menace to democracies is a fact so generally admitted that it is not now necessary to quote history in proof of this assertion. But, on the other hand, while deploring the political danger of a Pretorian army, it has generally been considered the best fighting machine. As the preservation of national existence is the first necessity, even democracies have tolerated the existence in their midst of such armies. Nevertheless, if it can now be demonstrated that after all a Pretorian army is not the best fighting machine, there remains no legitimate reason for continuing to support an institution which, from every other point of view, is emphatically condemned.

But if we renounce standing armies and do away with barrack life, what shall be established in their stead? Among technicians whose minds are not warped by ingrained habits and ancient traditions the answer is clear, unhesitating, and emphatic. We must have the Swiss system, modified, of course, to suit local and national circumstances. Politically, every democrat has long since recognized that this is the best system, and this is not denied by those who think that a nation should govern itself. The only difficulty has been to prove that this is the best system from the military or fighting point of view. General Brunet, who was the French military attaché sent to follow the great Swiss maneuvers of 1898, an officer of high repute, said in his report that "Switzerland alone among the nations of Europe had found the solution, which others had sought for in vain, of the great problem how to arm the nation, how to contrive so that every citizen shall provide the nation with a soldier, and yet that no soldier shall deprive the nation of a single citizen."

Why, it will now be asked, should Switzerland be the only nation to achieve this great end? So far the answer has been that the fighting machine thus created is of an inferior quality, not so reliable, and that the safety of the state precludes its adoption by nations that are more directly menaced than Switzerland. To-day, however, as the Boers have a similar citizen army, opinions are likely to change, particularly as the Boers have not worked out their system to the same elaborate and perfect extent as the Swiss, and yet they have been wonderfully successful in actual warfare. What, then, are the principles on which the Swiss method is based?



## ALL DRILL ON WAR FOOTING.

Firstly, every Swiss citizen must cooperate in the national defense according to his physical, intellectual, and pecuniary means. If he is not capable of rendering any sort of service, then he must pay higher taxation. In Prussian armies a grade is given as a reward. In a democratic army a man becomes an officer because it is his duty to assume that function. Thus for the salvation of the nation we have not only the blood tax but a special tax on intelligence. With superior intelligence comes the obligation to perform higher duties. If a man is capable of being a captain, he has no right to content himself with serving as a petty officer or simple soldier. But if he has the intelligence that befits him to be an officer and enjoys the privileges attached to such a position, then he must, on the other hand, work much harder, study more deeply, and devote a greater amount of time to the drill and the maneuvers of the army corps to which he is attached.

At present the very reverse is the case with the officers of the British army. Once they have passed their examinations, which are in the main merely theoretical, they, for the most part, devote their best energies to polo matches, social functions, lounging in the clubs, and "flirting with the girls." On the other hand, it is absurd and a waste from every point of view to keep a man an hour longer with his regiment than is necessary to teach him what he must know. To keep a man under arms unnecessarily is to increase the national expenditure and to decrease the national income. Every man should return, as soon as possible, to productive and peaceful work. The Swiss Government, in its rules regulating the system of military instructions, states that every man must be taught in times of peace to accomplish the duty for which he is found to be most capable in times of war, and nothing else.

This nothing else is very important, for most of the soldiers in Prussian armies are taught to do many things which are not only useless in time of war, but actually tend to warp their intelligence, their individual initiative, and render them less competent as fighting men. The duration of service in times of peace, say the Swiss military authorities, must be limited strictly to what is necessary to insure efficacy. From this it results that the duration of service will vary according to the arm and grade of the soldier. Here, then, the stupid uniformity of the two-year, the three-year, and the five-year system is struck on the head. Yet what can be more logical? All that is needed is efficacy.

Why, then, confine men uselessly in barracks, where they are notoriously exposed to many degrading and immoral influences? Thus, in Switzerland the duration of primary instruction in what is termed the schools of recruits is thirty-eight days for soldiers attached to the administration; forty-two days for those engaged in the commissariat or transport department; forty-five days for infantry troops; forty-six days for ambulance attendants; fifty days for engineers; fifty-five days for artillery, and eighty days for cavalry. There is no permanent army whatsoever in Switzerland, but there is a permanent staff of military teachers. There are also guardians in charge of the fortresses, whose position is similar to that of civil employees in charge of public buildings, museums, etc., and who, as workmen, are technically competent to see after the necessary repairs, etc.

Then, of course, there is a large staff of civil servants who attend to the recruiting, the horses, the stores, the arsenals, etc. But, though these functions are permanently employed, no troops are kept permanently under arms. The troops only exist on paper, except when they are mobilized for the autumn maneuvers, and these maneuvers last from one to three weeks. The period of instruction, which varies in duration, as mentioned above, from thirty-eight to eighty days, is accomplished by every able-bodied Swiss citizen when he is 20 years old. That done, he is no longer a pupil or recruit, but a fully qualified soldier. He takes up his rank in the army of national defense, and then joins in the yearly maneuvers carried out strictly on the war footing.

## ALL SERVE AND ALL ARE READY.

The Swiss act on the great principle that if compulsion is necessary for one, then it is necessary for all; therefore the mobilizations are identically the same in peace as in war. Consequently half the active army is mobilized every year; thus every Swiss must mobilize once in every two years. A quarter of the territorial army, or landwehr, is mobilized every year, so that when a soldier passes from the active to the reserve army he serves only once in four years. Such mobilization as takes place is absolutely complete. As a means of training, this is of immense importance. The soldiers all get to know each other and their officers. In case of war exactly the same men would meet exactly in the same place; there would be nothing new about it; the whole process has been rehearsed many times before; everything is ready.

The Swiss soldier is never made to waste his time over any other object than the preparation for war, and his knowledge of such preparation is complete, because everything necessary is provided. If war were to break out tomorrow, the Swiss war department would not have to add a single cart, horse, mule, uniform, gun, tent, or utensil of any description to what is already provided and has already been manipulated by the very men who would have to do the fighting. The Government would have to replenish what might be used, lost, or destroyed in warfare, but it would not have to provide a single object of any description whatsoever at the commencement of hostilities.

The fact that the Swiss soldiers have never maneuvered otherwise than on the complete war footing renders the Swiss army superior to any other European army. There would be no vexatious distribution of kits, with men getting uniforms that do not fit them and boots that they can not put on, or rifles with which they have never practiced. Every man takes his full war equipment home with him. His rifle is over his mantelpiece, his uniform, etc., neatly folded and put by. In half an hour he can throw off his civilian clothes and step from his door absolutely ready to go to the front. That same day he has joined his companions, and his company or battalion is ready to march. In no country in the world would mobilization be so rapidly accomplished as in Switzerland; for of course all that appertains to commissariat, transport, ambulance, etc., is equally ready and on the very spot where it would be wanted.

That a soldier should be acquainted personally with the officers he has to follow, the comrades with whom he has to march, the identical rifle he has to handle, is all very important; but if he belongs to the cavalry it is still more necessary that he should know his horse and that his horse should know him. When the young Swiss recruit has terminated his eighty days' teaching at the cavalry training school, the Government sells him the excellent four or five year old horse he has been riding and only charges half its value. Thus the recruit takes back with him to civil life a well-trained horse, which he uses for his own private purposes; but there are inspectors that call around occasionally to see that he keeps this horse in good condition and ready for military service.

## THE RECRUITING OF OFFICERS.

After passing through the school of recruits the cavalry trooper has to serve every year for ten years and for ten days on each occasion. Each year he is reimbursed a tenth part of the sum he paid for his horse. Thus at the end of this service he has got all his money back, the horse remains in his possession, and he has had his services for nothing beyond the advance in cash of

half its value. But this advance of money can be paid by a third person. Thus a farmer can pay for the horses of some of his farm laborers and utilize them on his farm when they are not engaged at the military maneuvers. Thus also the mobilization of the cavalry is as rapidly accomplished as that of the infantry. At school the children are taught gymnastics, are made to take such exercise as will make their bodies supple and develop their muscles. They are taken out for long marches in military order, and are even conducted to the rifle butts and taught how to shoot.

Thus they have received a portion of their military training before they have reached the schools of recruits. Of course, officers must serve a longer time than simple soldiers. The Swiss infantry soldier, from the age of 20 up to his thirty-second year, serves in all one hundred and nineteen days. A sergeant serves two hundred and twenty-two days, and a lieutenant four hundred and forty days. A captain of artillery is maintained in the actual army up to the age of 38 years, and serves, all told, five hundred and thirty days, or fourteen months of effective and assiduous work. Under these circumstances it may be asked, What inducement is there for a recruit to strive to become an officer? The answer is that for all civil employment the State always gives the preference to officers. Then, again, the permanent staff of military teachers is recruited exclusively from among the officers, and these teachers are well paid and entitled to pensions in old age.

Then, as promotion is due wholly and solely to merit, much honor and social consideration are attached to the rank of officer; and the Swiss are sufficiently patriotic to be willing to absent themselves for a longer period from home and business when their fellow-soldiers and fellow-citizens deem them worthy to hold a higher rank. But perhaps one of the best features is the fact that the time of the soldiers is never wasted in mere parade drill or in the accomplishment of police duties. The whole of their training is a war training, and this of the most practical and vigorous description.

## SUCCESS OF THE SWISS SYSTEM.

Mr. Gaston Moch, whose newspaper articles and books on the subject are helping to popularize the system in France, and from whom I have derived my information on the subject, naturally inquires whether the results are satisfactory, and declares that the annual maneuvers constitute veritable "records" of endurance, discipline, and devotion. Thus, for instance, he mentions maneuvers and marching for seventeen days, without a single day's rest, executed by two batteries of field artillery in the depth of winter. They got their field pieces up to a height of 4,338 feet; they traversed snow lying 4½ feet deep, and camped out in a temperature of 33° F. below freezing point. Under these terrible conditions they managed to travel on an average 17 miles per day, and on the very first day of their mobilization they went 26 miles. Yet the horses were all brought back in excellent condition; neither man nor beast was hurt or any the worse for the expedition; and, from the major who commanded them down to the last gunner, they were all mere civilians, citizen soldiers, who, at the expiration of the seventeenth day, quietly returned to their homes and business.

Needless to say that this is not only the most efficacious system, but the cheapest. There are no barracks to build, no salaries to pay to soldiers living in idleness; there is but the cost of the uniforms, the equipments, weapons, training staff, and the rations of the men when they are at work, and then only. Nor can a nation thus armed and trained ever become the tool of a despot or be led into an unpopular war of aggression. The fact also that everyone has to serve largely contributes to the maintenance of peace. The existence of a numerous class of idle, professional soldiers, whose sole business it is to fight, and whose best chance of promotion depends on the outbreak of hostilities, has always helped to bring about wars. At best a standing army is only justifiable for colonial service. At home a citizen army on the Swiss model is politically the safest, and from the military point of view it is the most efficacious protection against invasion.

ADOLPHE SMITH.

Mr. HAY. I now yield two minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, in the two minutes allowed me what I shall say will not be so much in opposition to the bill introduced by the gentleman from Illinois, because I sympathize with his effort, as for the purpose of pleading for a general bill which will effect a thorough and complete organization of the militia of the country. Within the last three months I have had many communications from constituents in the State of Texas, gentlemen who are interested in the organization of the military reserves, who have devoted, and who do devote, a considerable portion of their time to upholding the militia. They have pleaded with me in every instance since the introduction of the bill to support the measure presented by my colleague from Virginia [Mr. HAY].

I believe that if this Congress will appropriate a sum of money for the support, the development, and the organization of a militia, coupled with any reasonable conditions, the people of Texas and of every other State in the Union will readily adopt it, will readily submit to the conditions laid down in that appropriation, and that by this means we may build up a military reserve in this country which will be immediately effective and useful in the event of war. Such a reserve we did not have at the beginning of the Spanish war. We have abundant material for it all over the country. But that material has largely gone to waste, as was illustrated at the beginning of the late war. I am opposed to the creation of a large standing army in this country; and I believe that the most effective means of preventing it is to have a first-class reserve military organization.

We need not try to delude ourselves with the idea that we are not going to have an increase of the organized military strength of the country. It has been decreed by the powers that control and direct our country. It is urged by Mr. McKinley, the President, and almost unanimously demanded by the Republican party, which is behind him.

The only question is whether that increased military strength shall be in the shape of a large standing army, separated in interest and in aspirations from the great body of the people, or whether it shall be by increasing the efficiency of the militia by giving proper military training to the citizen soldier—the man who stays



at home and does a citizen's work the while he keeps alive his sympathies with his fellow-citizens.

A large standing army is a menace to the liberties of the people and a constant danger to the peace of the world. A well-trained militia is a stay and prop to the liberties of the people and a perfectly satisfactory supplement to the Regular Army when we are threatened by danger from the outside. A big standing army will cost us not less than one hundred millions a year, and it is un-American.

A well-organized and well-disciplined militia will cost us four or five millions a year, and is not only thoroughly American but is the army contemplated by the Constitution and advocated by the greatest political philosopher the country has ever produced, Thomas Jefferson.

Mr. HAY. I yield three minutes to the gentleman from Nevada [Mr. NEWLANDS].

Mr. NEWLANDS. Mr. Speaker, the Constitution declares that Congress shall have the power to provide for organizing, arming, and disciplining the militia. Under that power the act of 1792 was passed—the only act now in existence which provides in any way for the discipline of the militia. Since that time, it is true, two acts have been passed regarding the militia—one increasing the annual appropriation to \$200,000, and the last one increasing that appropriation to \$400,000. The act now upon the statute books—the act of 1792—does not meet the requirements of the present time. As an illustration of that I refer to section 1628 of the Revised Statutes, which declares that—

Every citizen shall, after notice of his enrollment, be constantly provided with a good musket or firelock of a bore sufficient for balls of the eighteenth part of a pound, a sufficient bayonet and belt, two spare flints, and a knapsack, etc.

[Laughter.]

These are the obsolete provisions on which we now rely for the organization of a militia. The duty of organization, which is placed upon Congress by the Constitution of the United States, is thus performed.

Mr. PARKER of New Jersey. Will the gentleman allow me a moment?

Mr. NEWLANDS. I have not the time.

We want a thoroughly organized and well-disciplined militia. Bills are now pending in Congress providing for the organization and proper discipline of the militia according to the approved methods of the time. Some of these bills make appropriations of \$2,000,000 annually; one proposes to appropriate \$5,000,000 annually. Congress will not object to a liberal annual appropriation for the militia, but the appropriation should be connected with a complete system of organization and discipline. Now, it does seem to me that Congress should wait until we can have the opportunity of acting on one of those bills under the guidance and instruction of the War Department and after full report by the proper committee. Thus we can have a complete system of organization and discipline, which the Constitution declares Congress should provide.

Mr. PARKER of New Jersey. I desire to call the attention of the gentleman from Nevada [Mr. NEWLANDS] to section 1637 of the Revised Statutes, which says that—

The system of discipline and field exercise which is ordered to be observed in the different corps of infantry, artillery, and riflemen of the Regular Army shall also be observed in such corps, respectively, of the militia.

That provision gets rid of all the difficulties of which the gentleman has spoken.

Mr. NEWLANDS. Well, that provision is not carried out and there are no means of enforcing it. I am informed there is no proper system of inspection by officers of the Regular Army—no supervision, no control.

Mr. MARSH. If the gentleman will allow me, he is mistaken. Now, Mr. Speaker, how much time is there left on the other side?

The SPEAKER. The other side has exhausted its time.

Mr. MARSH. How much time is there remaining on this side?

The SPEAKER. Nine minutes.

Mr. MARSH. I yield two minutes to the gentleman from Nebraska [Mr. STARK].

Mr. STARK. Mr. Speaker, I was unfortunate in having my time cut off. I rise now merely to ask leave to extend my remarks in the RECORD.

There was no objection.

Mr. HAY. I ask that all gentlemen who have spoken on this bill be allowed the same privilege.

Mr. STEELE. Upon the condition that such remarks are confined to this bill.

The SPEAKER. For what length of time is it desired that this provision shall continue?

Mr. HAY. Five days.

The SPEAKER. And the condition is made by the gentleman from Indiana that matter printed under this leave be limited to discussion of the bill. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. MARSH. I yield three minutes to the gentleman from New York [Mr. CLAYTON].

Mr. CLAYTON of New York. Mr. Speaker, I have not time to go into a thorough discussion of this bill, but I am in favor of the bill because I believe that the organization of the militia of the country as it is constituted to-day fully justifies this increase in the appropriation. I am in thorough sympathy with the gentleman from Virginia [Mr. HAY] when he urges the importance of a complete reorganization of the National Guard; and I believe that the sentiment of the House is in favor of such a reorganization. That will take time. The importance of this bill is pressing. We have all over the country National Guards improperly equipped and improperly armed.

Now, it is already provided by law that this money shall be used for arming the National Guard. There is no danger of its being wasted. The gentleman from Indiana [Mr. STEELE] is mistaken when he says that this money can be wasted, that the arms may be lost, or may be held without being properly accounted for. This money is appropriated under the law which says that the Secretary of War shall prescribe regulations for the issue of and method of accounting for the arms and equipment purchased by his direction. That has been done. The governor of a State is held accountable for all the arms supplied to his State under this appropriation. Those arms are charged against him, and he is responsible for them until returned to the United States or until worn out and lost in service, and the charge is removed by a board of survey, as prescribed by law.

Mr. STEELE. Will the gentleman from New York allow me to make a suggestion in connection with what he is saying?

Mr. CLAYTON of New York. I will yield to the gentleman with pleasure.

Mr. STEELE. Since I have been in Congress I have known of an instance in a State where considerable difficulty arose by reason of the fact that the money appropriated to the State for this purpose was improperly used, and it was necessary to adjust its account and double its allowance for some years prior to the enactment of a law authorizing the Secretary of War to adjust the account of that State so that State might draw its pro rata allowance of the militia appropriation.

Mr. CLAYTON of New York. Well, Mr. Speaker, I do not know, of course, as to that instance. It is very likely that the gentleman has information on the subject that has not come to me. But I mean, and what I was saying, is that a certain amount is appropriated to each State for this purpose, and, I am sure, is properly used.

Mr. STEELE. That is precisely the point. A certain sum is allowed for the equipment and arming of the militia; but, notwithstanding this fact, in a certain instance, as I have just said, a State came in and asked an adjustment of its account because of improper expenditure—practically a double payment.

Mr. CLAYTON of New York. That was some years ago. Under the present law, as I understand it, so much money is appropriated to each State for the arming and equipment of the militia. The governor of the State can draw against that fund from the General Government, but, as I take it, he must make a return or some kind of an accounting to the General Government for the money so appropriated and so used.

As I said before, I am in favor of the reorganization of our militia. I know that the gentleman from Virginia has given this matter careful consideration and is right in urging it upon the attention of the House. There is no question before the country to-day that is more important than having our military establishment brought up to date. The new foreign policy of our country makes it absolutely impossible to go back to our little army of 25,000 men, and in the new establishment our militia must have its proper place. It therefore behooves us at this time to think carefully of the best methods for obtaining such an establishment as will meet the requirements of the country and still continue consistent and in conformity with our democratic institutions.

I simply desire to see this bill passed to-day, in order that we may continue to do more effectively the good work that is being performed by our National Guard. Even if not a single organization from our National Guard force had gone into the service of the United States during the Spanish war, we would still have had great benefit from the system in the military knowledge and education that it has served to promote in the country. While recognizing the faults of the system, let us not condemn it and destroy it until we are ready to substitute a better one. As an educational factor alone it is worth many times the entire cost.

I am in favor of the complete reorganization and agree with many of the features sought to be established by bills that have been introduced and are now pending before Congress. One of the most important of these features is that there should be established under the authority of the Secretary of War a system of inspecting the various militia forces of the States. This system would undoubtedly promote uniformity and efficiency and



would keep before the United States authorities at all times the knowledge of just what could be expected from the States in case of an emergency. It should be provided in this new law that a certain efficiency should be required and a certain amount of duty performed before the pro rata of any State should be paid over; and I go even further than that, I believe that the proportion of each State should depend upon the number of its organized militia performing the required duty.

I can not agree with the gentleman from Indiana [Mr. STEELE], who proposes to turn over to the Secretary of War the entire regulation of this matter. I do not believe that Congress should delegate this duty. After the law has been passed regulating this matter, as provided in the Constitution that Congress shall have power to do, then the details of its execution may be left to the proper officers of the Government. This can be done without interfering with the power of the States. It is important that all the rights of the States in controlling their militia should be maintained, and it would not interfere with such rights if we provide that the General Government may require efficiency and duty, as determined by United States officers, shall be a prerequisite to receiving any benefits provided by Congress. At the same time the complete regulation of the forces, the appointment of the officers, and the giving of all orders, may be left, as it is to-day, entirely with the States.

We can not long delay the enactment of important laws in regard to the establishment and maintenance of our military establishment. Indeed, it is important that we begin the consideration of this matter now, and one of the most important features in our military establishment is the organized militia. We must depend upon it in time of foreign war. We should give it all the consideration that is due to so important a part of our establishment. Defective though the present system is, graduates from it filled our volunteer regiments in 1861 and again in 1898, and this country has never yet waged an important campaign when the volunteers have failed to bear their part upon every field of battle. [Loud applause.]

Mr. MARSH. Mr. Speaker, how much time is remaining to me?

The SPEAKER. The gentleman has five minutes of his time left.

Mr. MARSH. In the five minutes I shall not undertake to answer the aspersions and insinuations against the National Guard by the gentleman from Indiana, which I regard as unjust and unfounded. In the whole history of the country the national militia has demonstrated beyond question its ability to sustain the honor and the integrity of the nation, and in that whole history it was never better demonstrated than in the last war in which we were engaged.

It was demonstrated at Santiago; it was demonstrated in the island of Porto Rico; it was demonstrated in all parts of Cuba where our troops were operating, and it has been demonstrated in the Philippine Islands. No regular regiment in the Army has performed its duty more accurately, more gallantly, or with more success than the regiments of the National Guard engaged in that war with Spain, and I assume, Mr. Speaker, that it would be practically a waste of time to defend that body against the statements and the unjust aspersions, as I think, of the gentleman from Indiana.

It has been stated here that money has been drawn from this fund of \$400,000 and no proper accounts rendered by the States; in other words, that this money has been fooled away. I think I am perfectly justified in saying that every dollar of money that has been drawn from this fund from the public treasury has been properly accounted for and properly used for the service of the National Guard of the Union. Every dollar of that money, in my opinion, has been fully accounted for by the State authorities, and not a dollar of it has been wasted.

Under the law as we now propose to pass it, no money can be expended except in pursuance of certain law, for objects clearly, distinctly, and definitely authorized by the law. Not a dollar of it goes into the hands of the Guard or States, but every dollar of it belongs to the United States Government, and is expended by the United States Government, and those persons who take that money from the Government must be and will be required to render a strict account of the expenditures made by them.

Now, Mr. Chairman, let us come to the purposes of the present bill. We all know that the National Guard, as at present constituted, is not properly armed or equipped. They are compelled to use the old Springfield rifles, which are obsolete and out of use and practically worthless when in direct conflict with troops armed with modern weapons. Do you know what it would cost to arm a hundred thousand men with the Krag-Jørgensen rifle, the approved gun now used by the Army? It would cost about two and a half million dollars. In other words, it would cost about \$28,000 for arms for an infantry regiment numbering 1,200.

But it must be remembered that all of the ordnance and military stores that go to the State in the arming and equipping of the

National Guard, under the proposed law—and under the existing law as well—remain the property of the United States. It is not a loss to the Government. It still retains control of it.

We find in the report of the Ordnance Department that we have many thousands of Krag-Jørgensen guns lying idle in the arsenals of the country, and we are turning out from 250 to 300 of them every day. It will be a very small item to use those guns for the arming of the militia—the National Guard—throughout the country. And it must be remembered that that manufacture of guns will be continued until the Government possesses 600,000 or 700,000 of them. The ownership and control of these guns, of course, is retained in the Federal Government.

Now, Mr. Speaker, one word as to the general militia law as it now exists.

The SPEAKER. The time of the gentleman from Illinois has expired.

The question is upon suspending the rules and agreeing to the amendments recommended by the committee, and passing the bill as amended.

The question being taken, on a division (demanded by Mr. HAY) there were—ayes 133, noes 9.

Accordingly (two-thirds having voted in the affirmative) the rules were suspended and the bill as amended was passed.

#### PENSIONS.

Mr. GRAFF. Mr. Speaker, I move to suspend the rules and pass the bill S. 1477 with the amendments recommended by the Committee on Invalid Pensions.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass with the amendments recommended by the committee the bill which the Clerk will now report.

The bill was read, as follows:

An act (S. 1477) in amendment of sections 2 and 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890.

Be it enacted, etc., That sections 2 and 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," be, and the same are hereby, amended so as to read as follows:

"Sec. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding \$12 per month and not less than \$6 per month, proportioned to the degree of inability to earn a support; and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated, and such pension shall commence from the date of the filing of the application in the Bureau of Pensions, after the passage of this act, upon proof that the disability or disabilities then existed, and shall continue during the existence of the same: *Provided*, That persons who are now receiving pensions under existing laws, or whose claims are pending in the Bureau of Pensions, may, by application to the Commissioner of Pensions, in such form as he may prescribe, showing themselves entitled thereto, receive the benefits of this act; and nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act: *Provided, however*, That no person shall receive more than one pension for the same period: *And provided further*, That rank in the service shall not be considered in applications filed under this act.

"Sec. 3. That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged has died, or shall hereafter die, leaving a widow without means of support other than her daily labor, and having resources from which an income not exceeding \$250 per year is derived or derivable, or minor children under the age of 16 years, such widow shall, upon due proof of her husband's death, without proving his death to be the result of his army service, be placed on the pension roll from the date of the application therefor under this act, at the rate of \$8 per month during her widowhood, and shall also be paid \$2 per month for each child of such officer or enlisted man under 16 years of age; and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16: *Provided*, That in case a minor child is insane, idiotic, or otherwise physically or mentally helpless, the pension shall continue during the life of said child, or during the period of such disability; and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute; and such pensions shall commence from the date of application therefor after the passage of this act: *And provided further*, That said widow shall have married said soldier prior to the passage of the said act of June 27, 1890."

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 10, page 3, after the word "and," strike out the words "having resources from which." In the same line, after the word "an," insert the words "actual net."

In line 11, page 3, after the word "year," strike out the words "is derived or derivable."

Mr. MIERS of Indiana. Mr. Speaker, I ask unanimous consent that the time for debate be extended to one hour, thirty minutes on a side. We ought to have more, but will try to content ourselves with that.

The SPEAKER. The gentleman from Indiana asks unanimous



consent that the time for debate be extended to one hour, thirty minutes on a side. Is there objection? The Chair hears none.

Mr. WHEELER of Kentucky and Mr. MADDOX addressed the Chair.

Mr. CALDERHEAD. Mr. Speaker, I think one hour is hardly enough.

The SPEAKER. Did the gentleman from Kansas object?

Mr. CALDERHEAD. I do not object, except that I think one hour is hardly enough.

The SPEAKER. The Chair hears no objection, and it is so ordered.

Mr. WHEELER of Kentucky. Mr. Speaker, I have been trying to obtain the recognition of the Chair. I do object. I think the time is insufficient to debate a measure of this sort.

The SPEAKER. All that is necessary is for the gentleman to say, "I object." The Chair did not hear the gentleman; but if the gentleman says that he was endeavoring to obtain recognition, the Chair will recognize him.

Mr. WHEELER of Kentucky. I object.

Mr. ROBINSON of Indiana. I hope the gentleman from Kentucky will not object to the request made by this side of the House.

Mr. WHEELER of Kentucky. "The gentleman from Kentucky" does object unless more time is given.

Mr. MIERS of Indiana. I demand a second.

The SPEAKER. The gentleman from Indiana demands a second.

Mr. GRAFF. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from Illinois asks unanimous consent that a second be considered as ordered. Is there objection? There was no objection.

Mr. WHEELER of Kentucky. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. WHEELER of Kentucky. I rise to ask unanimous consent that the debate on this bill may be extended to two hours on a side.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that debate on this bill be extended to two hours on a side, four hours in all. Is there objection?

Mr. HENRY of Connecticut. I object.

Mr. CALDERHEAD. I ask unanimous consent that the time for debate be extended to one hour on each side.

Mr. MIERS of Indiana. I hope that may be granted.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the debate be extended to one hour on a side, two hours in all. Is there objection?

Mr. MADDOX. Mr. Speaker, before that is put I want this understood: What is meant by "sides"? Does this side propose to advocate it and that side propose to advocate it, or are gentlemen who are opposed to the bill to be heard?

The SPEAKER. The time fixed by the rule, when a motion to suspend the rules is made and a second is ordered, is forty minutes, twenty for the bill and twenty against the bill.

Mr. MADDOX. Yes.

The SPEAKER. And when a gentleman demands a second, it has been customary to recognize that gentleman to control the time in opposition. Is there objection to the request for two hours, one hour on a side?

There was no objection.

The SPEAKER. The gentleman from Illinois [Mr. GRAFF] will be recognized to control one hour and the gentleman from Indiana [Mr. MIERS] to control one hour in opposition.

Mr. GRAFF. Mr. Speaker, the bill before the House at this time is popularly known as the Grand Army pension bill. The committee have honored me by authorizing me to present the bill. The history of it is as follows: In October last year, when the National Encampment of the Grand Army of the Republic met at Philadelphia, a set of resolutions were offered by General Sickles in that body which, among other things, asked that the encampment appoint a committee who were to investigate the question of the amendment of the act of June 27, 1890, popularly known as the dependent act.

These resolutions were as follows:

Your committee on pensions respectfully presents this supplemental report, pursuant to the instructions of the encampment.

We respectfully direct attention to section 47 of the Revised Statutes of the United States, which reads as follows:

"The Commissioner of Pensions shall perform, under the direction of the Secretary of the Interior, such duties in the execution of pension and bounty law which may be prescribed by the President."

Resolved, That this encampment respectfully represents to the President its earnest conviction that rule 225, now in practical effect in the adjudication of claims for pensions, under section 2 of the act of June 27, 1890, in the Pension Bureau, works grave injustice to the worthy ex-soldier and ex-sailor, and we express the hope that you will not find it inconsistent with your duties as an executive officer to abrogate this rule and reestablish the principle as defined in rule 164. Under the operation of rule 164, formulated and put into effect soon after the passage of this act, unquestionably responsive to public sentiment and based upon sound legal propositions—in a word, the simple expression of the letter and spirit of the law—400,000 names were added

to the pension roll of the Republic, and to which no objection was heard for years after its promulgation.

Resolved, That this encampment respectfully represents that the practice in the Pension Bureau in barring widow claimants who have an income of \$96 a year is not warranted by the terms of the law, and we warmly indorse the recommendation of the Commissioner of Pensions to successively Secretaries of the Interior that the limitation be increased to \$250 a year.

Resolved, That the commander in chief appoint a committee of five comrades to present to the President a certified copy of the action of this national encampment, with an expression of our earnest desire for justice only to our disabled comrades and the widows and orphans of our dead under the letter and spirit of the law.

Resolved, That this committee is hereby authorized and directed, in the event that it is determined that relief may not be accorded by the administrative officers of the Government, to present to Congress a request for the amendment of the law in such form as to make certain the true intent of the statute, as we believe it can be construed as herein presented.

Those resolutions were adopted by the encampment, and under them several gentlemen were appointed, among whom, as I understand, was General Sickles, the old hero, who now sits immediately in front of me, an honored ex-member of this House, urging by his silent presence the passage of this measure. They took counsel with eminent lawyers of the United States, and a bill was drafted as a result of their consultation and presented to the Senate of the United States. That bill is known as the Gallinger bill, and is the one under discussion at this time. The bill was introduced in the Senate precisely as recommended by the officers of the Grand Army of the Republic and this committee appointed by them last October.

Mr. STEELE. I would like to ask the gentleman just one short question.

Mr. GRAFF. I yield to the gentleman.

Mr. STEELE. I notice in the provision with reference to widows that under the present law the unaccounted-for absence for seven years of her husband is sufficient to give the widow a pension. Now, in making provision for widows you seem to leave out that clause here in providing for an increase for them and for the income they have. Was that an oversight?

Mr. GRAFF. I desire to say to the gentleman from Indiana there is absolutely no change from the act of June 27, 1890, in that respect.

Mr. STEELE. There is no provision in this act here that would take into account those who are drawing pensions on account of unaccounted-for absence of their husbands, supposed to be dead after seven years' absence.

Mr. GRAFF. There is an existing law, not, however, directly a part of the act of June 27, 1890, which enacts what is practically the common law in reference to that subject, and permits a widow to show death by proving that her husband had been absent seven years unexplainably.

Mr. STEELE. You think this makes no change?

Mr. GRAFF. I think this makes no change in that respect.

The resolutions of the Grand Army of the Republic were directed to the amendment of the act of June 27, 1890, because it can almost be said that is the only act in the existing pension laws where a veteran of the late war who is not now drawing a pension can establish a case. The act of June 27, 1890, under its terms, requires only a service of ninety days in the war of the rebellion and an honorable discharge therefrom and proof of disabilities under the act.

While, I suppose, you who have not looked into this subject closely thought only those who are enjoying the privileges of that act were those only with ninety days' service, on investigating the facts closer we find that to thousands of veterans in the service it is the only act by which they could obtain a pension, because the war is long since passed, thirty-odd years between the close of the war and the present time, and under the old law it is required that the claimant shall establish his disability to be of service origin, by proving their incurrence in the service and then prove their continuance through every year for thirty-odd years since, by proving how and when the soldier was doctored and treated for it, or proving by lay testimony their continuance and that the disabilities still exist.

Those are the requirements of the old law, driving a man who has in fact incurred a disability in the war of the rebellion to seek relief of the act of June 27, 1890. This act further meets my approval because there are no discriminations in favor of rank. Under the act of June 27, 1890, the man who fought in the ranks is placed upon exactly the same level as the man who wore shoulder straps and rode upon a horse. Therefore it commends itself to my approval. When the act was first passed, under the administration of Mr. Raum as Commissioner of Pensions, order No. 164 was promulgated. The order was as follows:

#### DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS.

Washington, D. C., October 15, 1890.

In regard to fixing rates of pensions under the act of June 27, 1890: That all claimants under the act of June 27, 1890, showing a mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, and which incapacitate them from the performance of manual labor, rendering them unable to earn a support in such a degree as would be rated under former laws at or above \$8 and less than \$12, shall be rated the same as like disabilities of service origin, and that all cases showing



a pensionable disability which, if of service origin, would be rated at or above \$12 per month, shall be rated at \$12 per month.

GREEN B. RAUM, *Commissioner*.

Approved:

CYRUS BUSSEY, *Assistant Secretary*.

There was nothing in the act of June 27, 1890, which provided for the method of fixing ratings between the minimum rating of \$6 per month and the maximum rating of \$12 per month. Every word contained in the act of June 27, 1890, pertaining to this subject is a regulation concerning the rating as a general proposition. In the beginning of the act it provides that soldiers shall be pensioned for disabilities which are of a permanent character, not the result of their own vicious habits, and which disable them for the performance of manual labor, so as to render them unable to earn support.

So that the Department and the bureau under the Department were compelled to formulate regulations for the purpose of fixing the rate, and Commissioner Raum therefore issued order 164. Order 164 was simply to provide that the same system of rating which existed under the old law should be applied to the new law, so that if a man were entitled to \$6 under the old law he was entitled to \$6 under the new law; if \$8 under the old law, \$8 under the new; \$12 under the old law, \$12 under the new, excepting that if he were entitled to higher rating than \$12 under the old law, of course he was left to the maximum of \$12 under the new. So that the man that was entirely blind could, under the act of June 27, 1890, draw but \$12.

The administration of the act of June 27, 1890, continued to be executed under the operation of order 164 until a little prior to the inception of Mr. Lochren as Commissioner of Pensions, when two cases were taken to the Secretary of the Interior, and by action on appeal of these cases order 164 was abrogated, and Mr. Lochren, as Commissioner of Pensions, issued order 225.

Order 225 is as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., June 9, 1893.

As to adjudicating and fixing rates of pensions under the act of June 27, 1890:  
1. A claim for pension under the second section of the act of June 27, 1890, can only be allowed upon proof of mental or physical disability of a permanent character, not the result of the claimant's own vicious habits, incapacitating him for the performance of manual labor in such a degree as to render him unable to earn a support.

2. No specific injury or disability can, as such, have a pensionable rating under that act, nor be considered otherwise than as it affects the capacity of the claimant to perform ordinary manual labor.

3. Proof that the disability is not the result of the claimant's own vicious habits is requisite; and therefore the causes and circumstances of the origin of the disability should be shown by the evidence furnished in support of the claim for pension, so far as can be done, and by persons other than the claimant.

4. To give the claimant a pensionable status under this act the disability must be such as to incapacitate him for the performance of manual labor in such a degree as to render him unable to earn a support, yet the act recognizes differences in the degree of such pensionable disability, giving \$12 per month in case of the greatest and \$6 per month in case of the lowest degree of such pensionable disability rendering the claimant unable to earn a support by manual labor. It also provides for intermediate ratings proportioned to the intermediate degrees of such pensionable disability. The proper ratings under this act will therefore be made in accordance with such rules for rating as the medical referee shall prescribe, subject to the approval of the Commissioner.

WM. LOCHREN, *Commissioner*.

Approved:

HOKE SMITH, *Secretary*.

Under order 225 it is difficult to state with certainty what is the exact method of fixing the ratings. It leaves it largely in the discretion of the Commissioner himself. But it is stated in the report of the present Commissioner of Pensions that ankylosis, for instance, which is rated at \$10 under the old law, is equivalent to \$6 under the new; so that a man, to obtain the smallest amount of pension allowed under the act of June 27, 1890, must have a disability which, at least, would entitle him under the old law to \$10. There is a specific statement by the Commissioner of Pensions in regard to the maximum amount when he states that \$30 is the rating for a total disability under the old law, and therefore he reasons that a soldier must have a disability to entitle him under the old law to \$30 in order to entitle him to the maximum rate of \$12 under the act of June 27, 1890.

Now, then, with reference to the widow rates. There is nothing in the act of June 27, 1890, which provides in terms that the widow may have any amount, any property, or resources and be entitled to a pension. But under the liberal construction of Commissioner Raum at the time the act was passed the rulings of his Department were practically these: A widow with an income of \$250 to \$300 a year would not prevent her from obtaining a pension of \$8 a month under the act of June 27, 1890. But it was simply a regulation. However, that regulation was applied to the administration of the law until the inception of Mr. Lochren as Commissioner of Pensions, when he abrogated that rule and stated that it was too liberal; and finally, while there obtained considerable uncertainty as to just how large the limit was as to widow applicants under the law, yet it finally settled down to the fact that if a widow had an income annually equal to the pension which she would get if allowed, she was debarred from a pension under the act of June 27, 1890.

In other words, an income of \$96 a year would debar the widow from obtaining a pension under that act. And so the Pension Office has been administered under that regulation to the present time.

An enlargement of this limit has been recommended by the President of the United States in a recent message to this Congress, in which he recommends that the limit be raised to \$250 per annum. In this recommendation I believe the present Commissioner of Pensions has joined, and the Secretary of the Interior; and it has seemed to meet with almost universal approval all over the country.

Now, then, after the bill had been introduced in the Senate by Senator GALLINGER it was referred to the Committee on Pensions, and that committee reported it to the Senate. There was but a single change made by the Senate in the present bill, and that was the insertion of certain words which this committee propose to strike out.

It was with reference to the limit of \$250 to widow applicants. The Senate inserted the words "or have resources from which an income not exceeding \$250 per year is derived or derivable." That would leave the question to the Commissioner of Pensions to make an investigation as to whether the little property the widow had was wisely handled, and there would be complicated questions arising, not only as to whether or not in fact the widow had \$250 per annum, but whether she could have had it had she managed her resources properly.

We all know that usually the form in which a little property is left, excepting to those with large means, is, perhaps, a home or a little piece of land which, under the laws of descent in most States, leaves the fee in the children and a life estate in the shape of a dower interest or a homestead interest in the widow. If she can not derive the largest amount of income by living on it as an unbroken home, this bill would, if it passed unamended, compel the widow to sell the home or the little piece of land for the purpose of converting it into money, that she might derive therefrom a larger amount of income or have charged to her the sum which the inspector might think, in his wisdom, ought to be derived from the amount of undivided interest she had in the land.

And so your committee in this case came to the conclusion that the best way to do was to eliminate all such discussion as that and make the law read "an actual net income not exceeding \$250 per year." So that these questions, whether the little property was managed more wisely or not wisely, are entirely eliminated, and at the same time we only give the benefits of the pension to those who have no income in excess of the paltry sum of \$250 per year.

Mr. LACEY. Is the gentleman through with that branch of his argument?

Mr. GRAFF. Yes.

Mr. LACEY. I notice here, in regard to the helpless and blind, you used the same language on line 1, page 4, as the existing law, that the pension shall continue during the life of said child, or during the period of such disability, which has been construed to mean that the helpless child must have been under 16 when the rating occurred.

Was it the intention to enlarge that so as to give the benefit of the law to idiotic children over 16 years of age?

Mr. GRAFF. Not in this bill.

Mr. LACEY. I was going to say that if such was the intention of this bill, I thought it had not accomplished it.

Mr. GRAFF. No; it was not the intention to do so. Let me say to the gentleman from Iowa that I would very gladly support such a measure, and I would very gladly support various other liberal provisions and needed changes in our pension laws. But I prefer to secure some little practical benefit to the soldier by having it enacted into law rather than spend time in advocating a thousand things which may or may not be written upon the statute books. So we sought to simplify this matter and present the bill exactly as the soldiers, through the official head of their organization at Philadelphia, after very careful consideration, had concluded to present it to this House.

Mr. THROPP. If a law like this be passed, where will it leave a widow who possibly has an invalid child over 16 years of age—absolutely helpless? Can she get only \$2 a month to assist her in supporting that child?

Mr. GRAFF. That is the present law. Let me say to the gentleman that it would be very difficult for us, if we had the power, to write into the law the various degrees of helplessness and apportion the rates of pension so as to be absolutely fair. For instance, I introduced here and had referred a private pension bill to cover the case of a helpless boy who had grown to the size of a man, who was 26 years of age, but who could not speak, could not walk, could not feed himself; his mother had to carry him around on her back. He was in fact a mere animal, though existing as a human being. Now, there are various grades of helplessness upward and downward, and it would be pretty difficult for us to enact any fixed law which would meet all these conditions.

Mr. LACEY. Under the existing law there might be a child



who was born blind in 1863, while the father was in the service, and another born blind in 1890. The one born blind in 1890 would continue to draw a pension so long as he lived, while the one born during the war would be cut off because the right to a pension did not accrue before he had reached the age of 16.

Mr. GRAFF. Yes, sir.

Mr. LACEY. We have passed a great many private bills in cases of that kind, and I believe the committee has reported favorably upon every such case.

Mr. GRAFF. Yes, sir.

Mr. LACEY. I was in hopes that such cases would be covered by this general law.

Mr. THROPP. I would like to ask whether there is anything in this bill which would dispense with the necessity of introducing and passing private bills to meet such cases? I have such a case in my district—the case of a man 34 years of age who is absolutely dependent upon his mother; he can not do anything for himself, although she does not have to carry him around, as in the case mentioned by the gentleman from Iowa.

Mr. GRAFF. It has been customary with the committees of both branches of Congress to allow \$12 a month in excessive cases of that kind, in addition to the widow's own pension.

Mr. THROPP. But it has to be done by private bill?

Mr. GRAFF. Yes, sir.

Mr. THROPP. And this bill, if passed, would not prevent the introduction of such private bills?

Mr. GRAFF. Oh, no.

Mr. Speaker, the changes made by this bill in the act of 1890 are not many, but they are, as I believe, important.

Mr. BARBER. Will the gentleman allow me a single inquiry? In line 23 of this bill the language is:

And nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting, etc.

To what does that word "thereunder" refer?

Mr. GRAFF. If the gentleman will read a few words further, I think the meaning will be obvious. The entire sentence is:

Nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act.

In other words, the claimant may draw a pension under one of our laws and at the same time prosecute a claim under another law. He can not draw pension under both laws simultaneously, but while drawing a pension he may prosecute a claim under another law, and when that claim has been determined in his favor, he may elect under which law he will draw pension.

Mr. BARBER. The word "thereunder" did not seem to refer to anything special in this section.

Mr. GRAFF. That language is taken from the act of June 7, 1890, and is to be construed to mean what I have stated.

Mr. BARBER. Another suggestion. In the beginning of the proviso the language is that—

Persons who are now receiving pensions under existing laws or whose claims are pending in the Bureau of Pensions may by application to the Commissioner of Pensions, etc.

Now, that word "may" occurring in our statutes has ordinarily been construed by the courts as meaning "shall." Would this bill oblige a pensioner receiving, say, \$12 a month under the act of 1890 to make application under this act?

Mr. GRAFF. Not at all. He could not be compelled to apply for anything, because when he is drawing a pension under the act of 1890 his pension is not pending. It is an adjudicated matter.

Mr. SULLOWAY. A few lines further along that is made very explicit.

Mr. BARBER. My question was simply as to the force of that word "may," as construed by our courts frequently in statutes where it is used.

Mr. GRAFF. The changes in the act of June 27, 1890, as I said a little while ago, when the gentleman asked me a question, are not many, but, as I believe, they are important. The words "or disabilities" are inserted after the words "physical disability" so as to assist in the construction of the after amendment of the act concerning the aggregating of disabilities, and inserting in the present act of June 27, 1890, after the words in said present act "be entitled to receive a pension not exceeding \$12 per month, and not less than \$6 per month, proportioned to the degree of inability to earn a support," the following additional words: "and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated."

For instance, an infirmity of itself might not be sufficient to constitute a disability under the act of June 27, 1890, because it was not sufficiently grave, in the opinion of the Commissioner, so as to render the applicant unable to perform manual labor, so as to render him unable to earn a support; but if he has a number of infirmities, which aggregated do disable him for the performance of manual labor so as to render him unable to earn a support,

then those aggregate infirmities, if amounting to a disability, shall be rated. That is the intention of this provision.

Mr. TALBERT. Will the gentleman allow me to ask him a question right there?

Mr. GRAFF. Certainly.

Mr. TALBERT. I understand that provision of the bill to be that in future applications the applicant for a pension can have his disabilities aggregated?

Mr. GRAFF. Yes.

Mr. TALBERT. Does that affect those who are drawing a pension now under this act? Can they go back and have their disabilities aggregated, and thereby increase their pensions, or will they remain as they are? Will their pensions remain the same? In other words, is this bill retroactive?

Mr. GRAFF. This bill is enacted word for word as the act of June 27, 1890, was in that respect. With reference to going back it will operate just exactly as the act of June 27, 1890, operated.

Mr. MARSH. It makes no change in that regard.

Mr. GRAFF. It makes no change in that respect. I will say to the gentleman from South Carolina that there is not a line added to it in that respect.

Mr. TALBERT. Then this bill is retroactive, and those who are already drawing a pension, say, at \$6, who may have disabilities which if aggregated will give them \$12, may have an increase from \$6 to \$12, changing the present law.

Mr. GRAFF. They can do it to the same extent that they can at present, no more and no less. They can always ask for an increase.

Mr. TALBERT. Then this bill increases the allowance of a widow from \$96 to \$250 as the limit of the outside income which she may have.

Mr. GRAFF. I will say to the gentleman from South Carolina that under the present administration of the Commissioner's office and past administrations the increase is only allowed from the date of the examination. The act of March, 1896, had no reference to increased claims, but it applied to original claims, and provided that where a man had applied, made an original application, and had been rejected, and subsequently applied again, he would be entitled to date back to his first application, provided he made proof of the fact to the satisfaction of the Bureau that he was entitled to it. But I will say, for the comfort of the gentleman from South Carolina, that the number of soldiers who have been allowed anything under that act is not alarming.

Mr. TALBERT. Will not the passage of this act decrease the number of applications for private bills?

Mr. GRAFF. I think it will.

Mr. TALBERT. Are there not a number of bills that come here yearly that could be adjudicated under this bill, thereby preventing so many special bills?

Mr. GRAFF. I think so.

Mr. TALBERT. That is one good feature of the bill.

Mr. GRAFF. The gentleman's question suggests a matter to me. At the time of the change of the regulations from order 164 to order 225, Commissioner Lochren instituted an investigation of the pension rolls for the purpose of rerating all the soldiers on the pension rolls under order 225 which had been theretofore rated under 164. He made quite a comprehensive readjustment of those pensions, and there were thousands who were lowered at that time to comply with the order 164, but there were other thousands who were not reached and who were not investigated.

The result to-day is that there are hundreds of soldiers in a town who are rated under the rule of 164, while their neighbors next door are rated under order 225. What does that mean? It means that one comrade looks at the other, both having the same disabilities, perhaps, and one is rated at \$6 and the other at \$12, while perhaps the man who is rated at \$12 had ninety days' service and the man who is rated at six had three years. Hence it has created all over the country an immense amount of just dissatisfaction and complaint.

One of the best arguments in favor of the enactment of this law is that it will restore something like equality and uniformity between the men who are rated under one extreme or the other. I believe that is one of the strongest arguments in favor of the passage of this bill.

Under the act of June 27, 1890, there are something like 405,987 soldiers and 14,925 sailors invalids, army and navy. Under the old law there are 320,000—316,834 army and 4,721 navy invalid pensions; or about 100,000 more soldiers draw their pensions under the provisions of the act of June 27, 1890, than under the old law. Hence I am moved to ask Congress to make at least a reasonable change for the better in the act of June 27, 1890, because it is more comprehensive in its terms and because most of the men who are to-day drawing pensions under the old law are drawing pensions largely in excess of the maximum amount allowed under the act of June 27, 1890. I believe it is better, in a word, to mete out a little liberality first to the men who are drawing small pensions and then take the men who are drawing \$35,



\$40, \$50, and as high as \$72 under the old law, after we have given to these others, who are the larger class, some measure of justice.

Mr. TALBERT. This affects no other pension legislation except that act?

Mr. GRAFF. Not at all. I wish to say, Mr. Speaker, that the private soldier commends himself to me. I was a boy during the war, but I have some boyhood recollections of it, and three men went out of my family, all the men there were, and they took their places in the ranks, and they were three and four year soldiers. The soldier can say as Horace said of his writings—

I reared a monument, my own,  
More durable than brass;  
Yea, kingly pyramid of stone,  
In height it doth surpass.  
Rain shall not sap, nor driving blast  
Disturb its settled base;  
Nor countless ages, rolling past,  
Its symmetry deface.

The soldier's monument is his country. [Applause.]

How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has twenty-seven minutes remaining.

Mr. GRAFF. I reserve the balance of my time, and ask the gentleman from Indiana [Mr. MIERS] to dispose of some of his.

Mr. MIERS of Indiana. I yield to the gentleman from Illinois [Mr. JETT] such time as he may desire.

[Mr. JETT addressed the House. See Appendix.]

Mr. MIERS of Indiana. I yield five minutes to the gentleman from New York [Mr. DRIGGS].

Mr. DRIGGS. Mr. Speaker, it unquestionably will be asked by the country after the passage of this act, if it succeeds in passing this House, why the necessity for additional pension legislation; and if this committee and this House can demonstrate to all fair-minded men that there is a necessity for the amendment of the act of June 27, 1890, then this legislation to the country will be considered as wise. In the act of June 27, 1890, it was the intention of Congress, as I understand, that all soldiers who served ninety days during the war and received an honorable discharge should, upon the time of arriving at inability to perform manual labor, receive a certain amount of pension from the Government. That amount was fixed by the act of June 27, 1890, at the minimum of \$6 and maximum of \$12.

Mr. WHEELER of Kentucky. Was it not a maximum of \$8 under the law of 1890—a minimum of \$6 and a maximum of \$8?

Mr. DRIGGS. No; the minimum was six and the maximum twelve. But, however, the law was passed, and then began an interpretation of the law by the Pension Bureau. General Order 164 was adopted by the Pension Bureau, and after they had been working on that for some years they found that it had too much liberality in some of its provisions. I can not go in extenso into these liberal provisions, but would say that it was considered too liberal. So, then, General Order No. 225 was adopted, and so far as order 164 went in one way, 225 went in the other way.

While order 164 was too liberal, order 225 was far too illiberal; and it is the purpose of this bill, as I understand it from having heard it discussed many, many weeks, to reach the medium between General Order 164 and General Order 225; and if this act does become a law, there is reason to think that that happy line will be reached, and if that is done, then we will not hear throughout the country the complaint as to the vast amount of special legislation that is passed through this House.

Mr. WHEELER of Kentucky. Will the gentleman permit me to ask him one question here?

Mr. DRIGGS. Certainly.

Mr. WHEELER of Kentucky. What will be the increase if this bill becomes a law?

Mr. DRIGGS. I have heard it stated that the increase would probably not exceed \$1,000,000. We have endeavored to ascertain from the Pension Bureau what will be the amount, but they have not been able to give us satisfactory information; but some people who have made a study of it are satisfied, although they have estimated it all the way from one hundred thousand to two million dollars, which is the highest I have heard. Taking what I consider to be the fair amount, it will not exceed \$1,000,000.

Mr. WHEELER of Kentucky. Will the gentleman permit another question?

Mr. DRIGGS. Certainly.

Mr. WHEELER of Kentucky. Will his committee permit an amendment to be offered to this bill providing that no further applications for private pension bills shall be heard before the committee for an increase, or be considered in this House.

Mr. DRIGGS. Well, I can not speak for the whole of the committee, but so far as I am concerned I would object to such an amendment as that.

Mr. WHEELER of Kentucky. Will the gentleman indicate what he thinks his colleagues will really do with an amendment of that character.

Mr. DRIGGS. I am satisfied, speaking for no one but myself, that they would be opposed to such an amendment as that. Under the act of June 27, 1890, there would come a great many cases, and cases of real necessity would be brought into this House for consideration. Let me illustrate. I recall one case that came before our committee, where there was a soldier who had served a certain length of time in the Confederate army who afterwards left the Confederate army—it was proved that he had been forced into that army—and served two and a half years more in the Union army. The committee carefully considered that bill, and found a great deal of merit in it in many ways, and authorized the passage of a special act. Now, then, under the general law—

[Here the hammer fell.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MIERS of Indiana. I yield the gentleman such time as he may desire to finish.

Mr. DRIGGS. Under the pension law as it now exists an applicant of that character would be incapable of receiving a pension at the Pension Bureau.

I might also say that anyone who serves less than ninety days would find it impossible to receive a pension under the act of 1890. A man might have enlisted two days before the battle of Gettysburg and at that battle have had his leg shot off, and he could not receive a pension, and would have to come to Congress to get it. I could give many more instances of that kind that came up before our committee. I am satisfied that such an amendment would not be fair to the soldiers who live in the section of the gentleman from Kentucky, nor in the section of the country that I come from.

Mr. BURLESON. How many rejected claimants will this amendment affect?

Mr. DRIGGS. On page 7 of the report submitted by the gentleman from Illinois [Mr. GRAFF], which report was read before the committee and received the assent of the entire committee, just as it has been handed in here, I find that under the act of 1890 there have been 15,954 rejected cases. These cases would not come under this act because they have been turned down. The gentleman will notice that in the wording of the act it says it simply includes pending cases. It is very clear about that. These cases rejected would not come in here.

I want to say another thing, that under this act there is absolutely no chance whatever for any arrearages—that is, any extensive arrearages. There has been some complaint made in the daily press that a bill of this character would provide for the granting of arrearages. I will leave it to the gentleman from Illinois [Mr. GRAFF] if it is not true that under this bill there will be no arrearages?

Mr. GRAFF. Practically none.

Mr. DRIGGS. Of course in pending cases I concede there may be some.

Mr. MADDOX. Will the gentleman allow me to ask him a question?

Mr. DRIGGS. Certainly.

Mr. MADDOX. I understand you to say that this will increase the appropriation about a million dollars?

Mr. DRIGGS. I am taking my own estimate; I have nothing to go upon or to base my estimate upon. I am assuming that it will increase it a million dollars. It has been stated by one gentleman before our committee, who appeared before us on behalf of this bill, that it would not increase the pension roll one dollar.

Mr. MADDOX. One other point in regard to the men who had been in the Confederate army and afterwards served in the Union Army. They hold that he is not pensionable at all, no matter how long he served in the Union Army.

Mr. DRIGGS. Yes.

Mr. MADDOX. Why do you not include them in this bill?

Mr. DRIGGS. I would like to say to the gentleman from Georgia that there are several features of this bill that do not go far enough in the line of pension legislation; but I am satisfied that it is good as far as it goes. It is a bill that the committee thought advisable, and particularly because of the rulings of the Pension Commissioner.

Mr. MADDOX. I know men who served a short time in the Confederate army and then served in the Union Army and are suffering from wounds they received, but they can not draw a pension.

Mr. DRIGGS. We have had several cases of that kind. I will say that under the special act we have granted at this session of Congress a pension to such applicants.

I will say, in addition to that, that the Senator from North Carolina appeared before our committee in behalf of a bill that passed the Senate, and that bill has not been taken up for consideration before our committee. Judge GIBSON, of Tennessee, has a bill along these lines, and I am satisfied that legislation of some character will be passed, if not at this session, then at the next session, which will cover such cases.



Mr. MADDIX. One question more, if the gentleman will allow me.

Mr. DRIGGS. Certainly.

Mr. MADDIX. To what extent will this bill relieve us of special legislation?

Mr. DRIGGS. That is a difficult question to answer. I have a minute here that I am satisfied that if this bill is passed, instead of having twelve or fifteen thousand cases referred to our committee, as we have had, we shall have less than two thousand, certainly not more than three thousand. The trouble has been that the medical referee has been the absolute interpreter as to what the act of June 27, 1890, means, and this bill proposes that Congress itself shall be the interpreter of the act of June 27, 1890, and in order to do that we put in two additional amendments in the bill. We say if a widow has \$250 or less, she shall be placed on the pension roll. The interpretation has been that if the widow has \$96 a year she can have no pension under the act of June 27, 1890, and that is one reason why we have so many bills referred to our committee in behalf of widows.

Another source of trouble is that disabilities have not been properly aggregated. Case after case has been brought before our committee in which the disabilities aggregated twenty, thirty, forty, or forty-five dollars a month, yet the Department has ruled that the applicant is not entitled to a pension under the act of 1890. Hence the necessity for special bills in such cases. If the two amendments to which I have referred go through as a part of this bill there will be no question at all that the Pension Bureau will be forced to interpret the act of 1890 as Congress intended it.

Mr. GAINES. Does this bill make any provision for the pensioning of Confederate soldiers who served in the Cuban or Philippine wars or their sons?

Mr. DRIGGS. No, sir; no provision is made for anything except the amendment of the act of 1890.

Mr. GAINES. The gentleman is aware that there is a provision of law which prohibits even soldiers of the Mexican war from receiving pensions if they have also served in the Confederate army, while the latter who served in the Cuban war are not pensionable, as I am told.

Mr. DRIGGS. I understand that; and I tried to answer that suggestion in my answer to the question of the gentleman from Georgia.

Mr. GAINES. I want this matter made perfectly clear, because the gentleman from Ohio [Mr. GROSVENOR], when I brought up this matter here a short time ago, said that the provision to which I referred would be wiped out by statute. We have had one "wipe" without anything being done in that direction. Now, here is another proposition on the same subject; and I am trying to accomplish some amendment of the law which will remove the present bar in such cases.

Mr. DRIGGS. This bill will not do that. The bill of the gentleman from Tennessee [Mr. GIBSON], and which has been advocated by Senator PRITCHARD, will accomplish the object.

Mr. GAINES. What is the condition of that bill?

Mr. DRIGGS. It has not yet been considered by the committee, because the committee has been busy upon this bill and other matters. So far as I am concerned, I am ready to vote for such a bill.

Mr. GAINES. In regard to widows of soldiers of the Mexican war, is there any provision removing the bar as to them?

Mr. DRIGGS. No, sir. As I have said, this bill is simply amendatory of the act of 1890.

In all fairness to the gentleman who represents the minority of the committee, I do not think I should occupy any more time, and thanking him for his courtesy, I will yield the floor, saying only in conclusion that I am in favor of the passage of this bill and will vote for it.

Mr. MIERS of Indiana. I yield to the gentleman from Pennsylvania [Mr. RYAN] such time as he may desire.

Mr. RYAN of Pennsylvania. Mr. Speaker, I am thankful to the gentleman from Indiana [Mr. MIERS], who has been so kind and courteous as to assign to me whatever time I may desire to speak on the bill now under consideration. This bill is popularly known as the Grand Army pension bill, for the reason that the Grand Army of the Republic, in national encampment in the city of Philadelphia in October of last year, passed resolutions presented by General Sickles, bearing on the question of amendments to the act of June 27, 1890, and also appointed a committee to assist in securing the legislation proposed by this bill.

I can not, Mr. Speaker, let this opportunity pass without raising my voice in behalf of this bill, the object of which is to abrogate rule 225, now practically in effect in the Pension Bureau, and reestablish the principle as heretofore carried out under rule 164, thereby placing a construction on the intent of the act of June 27, 1890, and establish a more just and uniform means of rating disabilities. The resolutions, Mr. Speaker, presented and adopted by the Grand Army in national convention so clearly

present the reasons for the proposed legislation that I here call the attention of the House and most respectfully submit the same:

Your committee on pensions respectfully presents this supplemental report, pursuant to the instructions of the encampment.

We respectfully direct attention to section 471 of the Revised Statutes of the United States, which reads as follows:

"The Commissioner of Pensions shall perform, under the direction of the Secretary of the Interior, such duties in the execution of pension and bounty law which may be prescribed by the President."

Resolved, That this encampment respectfully represents to the President its earnest conviction that rule 225, now in practical effect in the adjudication of claims for pensions, under section 2 of the act of June 27, 1890, in the Pension Bureau, works grave injustice to the worthy ex-soldier and ex-sailor, and we express the hope that you will not find it inconsistent with your duties as an executive officer to abrogate this rule and reestablish the principle as defined in rule 164. Under the operation of rule 164, formulated and put into effect soon after the passage of this act, unquestionably responsive to public sentiment and based upon sound legal propositions—in a word, the simple expression of the letter and spirit of the law—400,000 names were added to the pension roll of the Republic, and to which no objection was heard for years after its promulgation.

Resolved, That this encampment respectfully represents that the practice in the Pension Bureau in barring widow claimants who have an income of \$96 a year is not warranted by the terms of the law, and we warmly indorse the recommendation of the Commissioner of Pensions to successive Secretaries of the Interior that the limitation be increased to \$250 a year.

Resolved, That the commander in chief appoint a committee of five comrades to present to the President a certified copy of the action of this national encampment, with an expression of our earnest desire for justice only to our disabled comrades and the widows and orphans of our dead under the letter and spirit of the law.

Resolved, That this committee is hereby authorized and directed, in the event that it is determined that relief may not be accorded by the administrative officers of the Government, to present to Congress a request for the amendment of the law in such form as to make certain the true intent of the statute, as we believe it can be construed as herein presented.

By an examination of the act of June 27, 1890, it will be found that no provision was made to enable the Pension Bureau to establish a system of ratings between the minimum of \$6 per month and the maximum of \$12 per month, and it became necessary for the Pension Department to formulate regulations for rating disabilities in order to carry into effect the act of June 27, 1890, and order No. 164, which I now submit, was issued:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., October 15, 1890.

In regard to fixing rates of pensions under the act of June 27, 1890:

That all claimants under the act of June 27, 1890, showing a mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, and which incapacitate them from the performance of manual labor, rendering them unable to earn a support in such a degree as would be rated under former laws at or above \$6 and less than \$12, shall be rated the same as like disabilities of service origin, and that all cases showing a pensionable disability which, if of service origin, would be rated at or above \$12 per month, shall be rated at \$12 per month.

GREEN B. RAUM, Commissioner.

Approved:

CYRUS BUSSEY, Assistant Secretary.

It is evident, Mr. Speaker, that the order just read was issued October 15, 1890, by the Commissioner of Pensions, Green B. Raum, with the approval of the Assistant Secretary of the Interior, Cyrus Bussey. It directed that disabilities should be rated under the act of June 27, 1890, as they would have been rated under the schedule then in force for disabilities of service origin, up to \$12 per month. For more than two years after the passage of the act of June 27, 1890, pension certificates were issued in which the ratings were fixed in accordance with the directions contained in order 164. There is a general belief that the liberal construction of the act of June 27, 1890, enunciated in that order was not questioned until a Democratic Administration was inaugurated in March, 1893; but it is a matter of official record that on January 7, 1893, Assistant Secretary Bussey—the same official who had approved order 164—in a decision addressed to the Commissioner of Pensions in the case of Henry H. Weihe, which was before him on appeal, expressed himself as follows:

The foregoing order (No. 164) has governed the practice of your Bureau in the matter of rates under the act of June 27, 1890, since the date of its issue. It appears, however, that said order, as understood by the Department when approving it, may have been misconstrued by your Bureau so far as it has been your practice to add the separate nominal and schedule rates allowed for several disabilities in making a rate under this act. It is deemed proper to state that the Department in approving order 164 did not intend that small rates should be added together in order to make a rate under the provisions of this act. \* \* \* It is directed that the views herein expressed be observed in future adjudications of claims under the act of June 27, 1890.

So it appears that the Republican Assistant Secretary of the Interior, Cyrus Bussey, regarded the practice of the Pension Bureau in the matter of rates under the act of June 27, 1890, as unwarrantably liberal. On May 27, 1893, his Democratic successor, Assistant John M. Reynolds, in deciding the case of Charles T. Bennet, gave expression to a similar opinion; and on June 9, 1893, order 225 was issued, signed by Commissioner Lochren and approved by Secretary Hoke Smith. This order, it appears, has governed the practice of the Pension Bureau since that time.

From this brief review it is evident that there has been doubt in the minds of the officials intrusted with the administration of the pension laws as to the proper interpretation or construction of the act of June 27, 1890. It can not truly be said that the change in



the original interpretation of the act was due to the policy of any one political party. It may in a measure be due to the persistent criticism of parties who are ever ready to criticize what they deem extravagance in the pension system. To my mind it is proper, when such doubt exists, and it appears that the evident intention of the original act is not observed, that more positive legislation shall be enacted; and for this reason I am anxious to give my support to the legislation under consideration, which I understand will have the effect of enforcing the practice directed in order 164.

An examination of the Annual Report of the Commissioner of Pensions for the last fiscal year, to my mind, fully supports the position taken by the Grand Army and points out the inconsistency, if not injustice, done under the rating inaugurated under order No. 225, and I call your attention to the same:

#### TWO SYSTEMS OF PENSIONING COMPARED.

Table showing corresponding ratings for same disabilities under the general law and act of June 27, 1890.

The basis of ratings under the two laws are so widely different that it is impossible to fix a parallel except in a general way.

General law.	Act of June 27, 1890.
The bases for ratings under the general law are:	The basis of ratings under this act is incapacity to labor, joined with incapacity to earn a support, and the grades of rating are dependent upon these two conditions.
(1) For minor disabilities, an ankylosed wrist or ankle.....	\$8
(2) For incapacity to perform manual labor, equivalent to loss of hand or foot.....	24
(3) For incapacity to perform any manual labor.....	30

#### COMPARISON OF RATINGS.

General law.	Act of June 27, 1890.
Second grade.....	\$30
Third grade.....	24
Single hernia.....	6 to 10
Double hernia.....	8 to 14
Deafness:	
Total both ears.....	30
Nearly total.....	27
Total of one ear and severe of other ear.....	25
Severe of both ears.....	22
Loss of one eye.....	17
Loss of sight of one eye.....	12
Anchylolysis:	
Elbow.....	10
Knee.....	10
Shoulder.....	12

Loss of portions of hand or foot: Rates vary, according to extent of amputation, from \$10 to \$17.

Loss of portions of hand or foot: Rates vary, according to extent of amputation, from \$6 to \$10.

Why, may I ask, should the Department grant a pension of \$12 for loss of sight of one eye under the general law, and grant but \$6 for the same loss under act of June 27, 1890? Why grant a pension of \$12 for anchylolysis of shoulder under the general act, and but \$6 for the same disability under act of 1890? Why grant a pension of \$10 for anchylolysis of knee or elbow under the general act, and but \$6 under act of June 27, 1890?

Under the old laws, Mr. Speaker, the rate of pension provided for those who are entirely incapacitated for performing any manual labor is \$30 per month. It appears that it has been the practice of fixing rates under the act of June 27, 1890, not to allow the maximum rate provided by the act—\$12—unless the same degree of disability or inability be shown. Clearly this is not in accordance with the evident meaning of the language of the act of June 27, 1890. A man may be suffering from mental or physical disability or disabilities of a permanent character which so incapacitates him for the performance of manual labor as to render him unable to earn a support, and still he may not be totally incapacitated for the performance of any manual labor.

This matter has forced itself upon me and has been made plain by considering the conditions that prevail in the district which I have the honor to represent. No district in the United States furnished a more liberal quota of soldiers to take part in the great struggle for the preservation of the Union. The nation needed and wanted only men who were physically perfect. The flower of the young men of the district responded to the call of the nation. The young husband left his wife, the sturdy sons left their fathers and mothers and the families that were dependent upon them in a large measure for a support, and went to the front to face the privations and hardships and dangers of camp life and the battlefield at a time when the Union was threatened with disintegration. Many of them never returned to their old homes. Their lives were the sacrifice given for the preservation of the Union. Of those who did return, after enduring the hardships and dangers of that great struggle, a very few indeed found themselves possessed of unimpaired health and the strength and vigor of mind and body which were theirs when they entered the service of the nation.

There never has been a war in which there was sterner opposi-

tion or braver foes to contend with; and a grateful people should remember that every man who entered the service of the nation to preserve the Union of the States offered his life for the great principle at stake, and it matters little whether the nation required his services for ninety days or for three years. When the struggle was happily ended, and there was no further need of their services on the battlefield or in the camp, the object for which they fought having been won, those who were spared returned to their homes, some maimed for life by loss of limbs, many with health impaired, and all penniless, for the pay of the private soldier was so meager that it was never an inducement to enter the Army service, and it can not be regarded as compensation for the service rendered. They were actuated by motives of patriotism, and the nation owed them a debt of more than sentimental gratitude.

When the Union was saved, they laid aside the uniform of war to take their part and do their duty in civil life. They took their places on the farms, in the mines, and in the workshops, and became potent factors in the development of the resources of our great united nation, which they had fought to preserve. At the time these men entered the Army service they had no thought of pensions. And while they were in the prime of life the great majority of them never applied for a pension. It has surprised me to find that until recent years there was a belief entertained by many of the soldiers that only such disability as resulted from loss of limb or gunshot wounds was pensionable. Camp life and the hardships incidental to the Army service had left a lasting impress on the health of the soldiers, which in many cases was disregarded until years advanced and the trying duties of life had added to their ailments, and it was found difficult to compete and keep pace with younger men, when they realized that their ability to earn a support was seriously impaired.

When the act of June 27, 1890, was passed it made the old soldiers hopeful, and the pensions which were granted were gratefully received. It appeared to the old soldiers that they were appreciated, and that the services they rendered and the sacrifices that they had offered in the trying time of the great civil war were not forgotten. But when the practice of the Pension Bureau under order 164 was abandoned and a new practice was inaugurated under what is termed order 225, dated June 9, 1893, there was disappointment, and there has been complaint against the construction of the act of June 27, 1890, by the officials charged with the granting of pensions. To my mind there are just grounds for complaint. The maximum rate of pension provided under that act is \$12, which should be granted to the soldier of the late war of the rebellion who is otherwise entitled, when it is shown that he is suffering from disability or disabilities which so incapacitate him from the performance of manual labor as to render him unable to earn a support.

This is the language of the act of June 27, 1890. It should not be required to be shown that a man is wholly unable to perform any manual labor. The soldiers who entered the Army service from 1861 to 1865 were young men, as nearly perfect physically as any in the land; but now, thirty-five years after the close of the war of the rebellion, how few of those dependent upon manual labor for their support are able to earn a living! Their arduous labors for so many years in the mines, in the workshops, and on the farms, and the changes that come with advanced years, even where they are not suffering from serious disease or injuries, have practically so incapacitated them from the performance of manual labor as to render them unable to earn a support.

In the stern competition of life they are supplanted by younger men who are following the same lines of labor. It is not sufficient that the old soldier is able to do some manual labor or to make himself merely useful. He must be able to do at least a fair day's labor. Otherwise the railroad company does not want him; the mining corporation does not want him; the manufacturing concern does not want him; the private employer does not want him. He can not get employment where he can get wages in exchange for his services, and so he can not earn a support. I know this to be true, especially in the mining districts of Pennsylvania, and it is probably so in other communities.

This act provides a pension not exceeding \$12 per month and not less than \$6 per month, proportioned to the degree of inability to earn a support. The maximum rate is \$12. The Pension Bureau need not fear being too liberal in granting pensions under this law. It is supported by the sentiment of the masses of the people of the country.

The pension should not and must not be regarded as charity. It is a sacred debt which should be willingly paid; and its payment should not be delayed until the soldier is on the verge of the grave. The amount of the pension, though small, will tend to brighten the declining years of the old soldier and of his dependent widow, and its prompt payment will show to the world, and especially to our own people, that the nation does not forget, but loves, honors, and admires its defenders.



Mr. NORTON of Ohio. I ask unanimous consent that all members who have spoken or may speak on this question may extend their remarks in the RECORD.

There was no objection.

Mr. MIERS of Indiana. I yield to the gentleman from New York [Mr. GLYNN] such time as he desires.

[Mr. GLYNN addressed the House. See Appendix.]

Mr. MIERS of Indiana. How much time have we occupied on this side, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has forty-two minutes remaining.

Mr. MIERS of Indiana. I yield to the gentleman from Ohio [Mr. NORTON] such time as he may desire to occupy.

Mr. NORTON of Ohio. Mr. Speaker, if there be one subject that ought to be dispassionately discussed upon this floor it is the question of the rights of the men who defended this Government in the time of its peril. It has been hard to do this, Mr. Speaker. I do not want to inveigh against Congress, the Departments, or the President. Nor do I want to inveigh against any individual, if I possibly can avoid it. On this side of the House I want to say to my Southern brothers that for their generous support of this measure I thank them from the bottom of my heart. Most if not all of you ought to be thanked for the course that you have taken upon this question of pensions. As you do not live within the sphere of the great proportion of the men who receive these benefits, it can not be expected that you would have the same deep interest in them that we of the North have in this question; but I will say that under all conditions, measuring conditions as they exist, you have been at least as liberal upon this side as our Northern colleagues have been generous upon the other side.

And now, gentlemen upon the other side of this House, I say to you the power to do, to act, lies in your hands. The remedy is yours; and if you do not give it in its full mete and measure, then the fault lies at the door of this Congress and upon you, and not at the door of others that may come hereafter.

I will vote for this bill, but I say it is naught but the husk without the corn, the chaff without the wheat. It does not do full justice. It is not extravagant; it is not even liberal; it is unjust; but it opens just a little wider the door of fairness, and gives a little glimpse within to a few who have been debarred of rights, rights to which they are entitled under the law as it stands, but deprived of by unfair and unjust rulings.

I object to this being called "the Grand Army bill," for I know, as I know that my Redeemer liveth, that the rank and the file of the Grand Army will never be satisfied with this bill. But it seems it is the best we can get now, and for every little that comes to him that stood by the flag in the bloody days of 1861-1865 I will vote and be thankful, too, for the opportunity.

I know, Mr. Speaker, that this bill does not satisfy the heart, the wish, or the conscience of any one man upon the Committee on Invalid Pensions. I know, too, that this bill does not satisfy the conscience, or the desire, or the reason, or the justice of the men representing the Grand Army who have presented it here. Can you make me believe, when I look across this aisle and see that grand old hero with his crutches by his side [General Sickles], that he would stop in his demand in the interest of the men who followed him in the war at the point where this bill ceases?

I am glad to see him shake his head. I do not desire to criticize the Administration. I know the troubles and burdens under which the Administration bows. But I do say that this bill is but a drop of water to the thirsty. It is not satisfaction. Whom are you benefiting? I grant you, Mr. Speaker, that you lift a little load off the home of the starving widow. I grant you that you wipe out the seething and burning disgrace which now exists in the provision regarding the income of a widow. I grant that you do that, and I grant you that you give a little aid to the boys who have been forced to make their applications under the law of 1890; but in doing this you turn your back upon every hero of the war of 1861-1865 who desires to remain under the original law where he has a right to stand—upon the roll of honor. Why do you do this?

Why is it that an ironclad rule or a board composed of men who know nothing about the facts, and seemingly care less, shall turn down the sworn testimony of the medical boards in the State where the soldier lives, and that this Congress shall sit supinely here and give us a weakling like this? Why is it that he who was a good soldier, he who sits in the White House now, does not lift his clarion voice in behalf of right and justice to the men who served with him? Why is he silent? Let him but speak, and the deed is done. I demand, in the name of this committee which has drafted a bill not only just but right, that this shall be done.

But I must bow to a voice which says, "This is all you can have." Who tells me this? Does it come from the gentleman from South Carolina? No. Does it come from the member from Tennessee? No. Where does it come from? I know not the un-

seen influences; but if it is a question of revenue, I demand that the revenue shall be given in payment for blood that saved the nation instead of being frittered away in thousands of useless and insane ways.

I am in favor of the bill, of course; I could do no less; but I know, Mr. Speaker, that when I face the men within the Soldiers' Home of my district, the men whom General Sickles once addressed from the rear platform of a car, when I shall tell them of the pittance that comes to them from the "friends of the soldier," they will turn their backs upon me and say, "Is that all there is left for us? Must the old soldier still hunt from the lower regions even to the stars of heaven for evidence, and then stand shut out from a pension that would entitle him to from twenty-five to seventy-five dollars a month, and bow down as a mendicant under the law of 1890?" Is that just, gentlemen? No; it is not just. It is a hideous wrong. It is a disgrace and a shame upon the reason and patriotism of the members of this House.

I have no fear, Mr. Speaker, had you brought the committee bill out upon this floor, but that it would have passed this House not only by the aid of the majority, but it would have had the aid and support of a majority of the minority side, as well. You tell us the future will bring aid. The present has filled the cemeteries with our boys. The present sees them tottering, wavering on the verge of the grave. The present finds them mendicants and supplicants at the doors of their neighbors for charity, and yet you will postpone and say we dare not ask too much now for fear we will get nothing.

I say to the majority that the threat such as you hold there, that we must take this or get nothing, is an insult to the House and the soldier. And I say furthermore to the chairman of our committee and to every member upon it that we have fallen in our estimation and failed in our duty when we decline to put the bill through that would have done equal justice and opened wide the doors of fairness to the men who supported us in the war of 1861-1865.

Men of the South, you all ought to vote for this bill. I would have voted for such a bill as this, and one more liberal too, had I been in former years a member of the Confederate Congress, for my idea is that the man of courage who takes up a gun in defense of home and country is entitled not only to the gratitude of his people but to the support of his honorable foes. Why, then, are there any who falter and refuse to vote for this because it does not have incorporated in it a provision to pension some man who was forced into the Confederate army and afterwards served in Union ranks?

Do not do it, because others have to wait. Other bills provide that all the veterans of 1861 to 1865 under the original law must stand back and await the divine pleasure of the other side of the House before they can have justice. Why, let me say to the Confederate boys that you wait also with all the veterans of the North, but do not now hinder justice to the widow and orphan children in this bill. What other reason is there given not to support this? That it is going to increase the expenditures perchance a million dollars. Oh, but when you talk about rivers and harbors, to dredge small creeks, and to open the way to bring nutmegs and cabbages down the little streams of Connecticut to market, or for such harbors as New York or Boston, gentlemen, you do not care to stop at a million, or twenty-five millions, or fifty millions.

If you want to increase the Army or the Navy, or want to make places and pay salaries to men who never saw a dead or a living rebel, you do not care to stop to vote good long appropriations, and under a rule brought in you can vote not only one million but twenty millions. But when we ask for justice here for the old soldier or his child, in God's mercy then do not raise the question of money. Now, Mr. Speaker, I will conclude in one expression. I appeal to members on this side of the House, in all the sincerity of my heart, from the depth of my being, that you give this bill your undivided support; and then I appeal to that side of the House, late in the session as I know it is, I know that there will be no objection if you will bring in another bill that will make this more perfect, that will do justice, simple and plain justice, to those people. I beseech you not to forget, not to dream away your time, not to fail in your duty to do justice to him who wore the blue equal to the sacrifice that he made for his country in the hour of its peril and in the bravery of his heart. [Applause.]

Mr. MIERS of Indiana. I yield two minutes to the gentleman from Maryland [Mr. DENNY].

Mr. DENNY. Mr. Speaker, I shall take great pleasure in giving this bill my hearty support. It is an act amending the pension law of June 27, 1890, in very essential particulars in the interest of justice to the old soldier and his family. It is an act of justice long delayed. I vote for it because it supplements the law that has, by too strict a construction, defeated many honest claims upon the Government. As a Confederate soldier who surrendered with Lee's army at Appomattox, and who was permitted to return home without any humiliation by the generous acts of



General Grant, I ought to know something of the sacrifices of the brave men who maintained the unity and integrity of this nation.

The Committee on Invalid Pensions have reported this bill to supplement a want long felt, and which I hope will meet the approval of every soldier who was engaged on the losing side. In our national wealth and prosperity it is meet and right not to forget the men who protected the Government by their sacrifices—sacrifices of health, the best years of their life, that in other fields of labor would have secured prosperity for them and their families. In the evening of their lives why should this Government, by narrow construction of the existing law, deprive soldiers and soldiers' widows and children of their just rights?

In my district in the city of Baltimore I have had presented to me many cases where the Commissioner has reported to applicants that their claims are rejected because it was not proved that the disability resulted directly from service origin.

I remember one case where the applicant had been in prison, and all his company had dispersed and he was without proof of his disabilities contracted in the service. Again, some claims have been neglected because the widow had a small income. The bill, while it limits the total sum to \$12, makes provision for the infirmities the soldier has and leaves no question for the Pension Commissioner to settle. Why should not the dependent widow and children of deceased soldiers receive the pension the husband and father ought to have received without proving his death to have been the result of Army service? This nation has grown too strong and great to deal niggardly with the men who were willing to sacrifice all for its maintenance in its hour of great peril.

In addition to doing justice to the soldier, it will enable some of us more closely to attend to the legitimate business for which we are elected and avoid the necessity of converting Congress into a pension bureau.

There are now over 12,000 cases, I am told, referred to Pension Committees, which are here largely because under the act of 1890 their just claims have been rejected by the Bureau. There are thousands of just claims for which no relief under that act of 1890 is provided, and therefore they come to Congress for relief. This ought not to be, and the time of Congress should not be used in passing pension bills when by a general and liberal act provision could be made.

As a soldier, I will stand by them for their rights. It is the poor we will have always; but as these men are passing away and will in a few years have heard the last gun fired, many of them are enfeebled by hard service and exposure, now becoming visible.

To sleep in a cotton tent or hut in the snows of winter alone would be felt later in life, and there is no good reason why proof of every disability should be attempted to be shown to secure to the widow a pension. We are one great nation, and I trust we may forever remain one united, prosperous people under a flag that represents unity and equality throughout our broad land.

The North and the South have been united in reality by the soldiers of both armies in the lead. Political parties may try to make trouble at times and say hard things for political effect, but the great army of soldiers can at all times join hands as such and suppress the political rumpus by their acts of generosity and mutual respect.

On the line of battle in front of Petersburg during the civil war a father in the Federal Army called from his intrenchment to the Confederate side if we could tell him where a certain regiment in the Confederate service was located, as he had a son in that regiment. The son was found some distance down the line and brought opposite to the position the father held. It was soon arranged that there should be no firing between the pickets, and the son went over into the Federal lines. He soon came back loaded with coffee and greenbacks, and bade his father good-bye.

Did the war break the friendship because they were on opposite sides? No; it is all over, and we are one in object and in sympathy and in love for the greatest and best Government under the sun. Therefore let us, united as we are, protect and defend the soldiers who will be to an extent at least benefited by the passage of this bill.

I give the measure my approval. [Applause.]

Mr. MIERS of Indiana. I now yield to the gentleman from Kentucky [Mr. RHEA].

Mr. RHEA of Kentucky. Mr. Speaker, it is to the credit of this Government, its representatives, and people that liberal laws have been enacted and maintained for the care and provision of the soldiers of the Union. Those who in time of peril and danger to the honor or perpetuity of the Government quit home and fire-side, lay aside private concerns, leave wife and children, father and mother, friends and safety, to endure the hardships and privations of army life, to risk life and health in defense of their country, should ever have the care of Government and be the recipients of its generous bounty. The bill under consideration is an amendment to the law of 1890 and seeks to and will, in my

judgment, remedy many of the defects found in that statute or its administration.

By construction the law of 1890 fails to give in many cases the relief sought and intended to be given. This bill puts all who served their country upon exact equality, levels all rank, and will do exact justice according to the merits of each soldier claiming under it. It meets my approval, Mr. Speaker, and shall have my vote, because I believe justice and fair dealing to all soldiers demand its enactment into law. To such as have nothing or not enough of this world's goods to keep them from want and suffering and are laboring under disease or wounds contracted in time of war or as the direct result of service, and to those over whom old age and natural decay are creeping, the most liberal and generous policy should be pursued, and I am ready and willing at all times, Mr. Speaker, to aid in the passage of such laws as will effect this result.

Mr. MIERS of Indiana. How much time has been occupied by this side of the House?

The SPEAKER pro tempore. The gentleman has twenty-three minutes remaining.

Mr. MIERS of Indiana. I yield five minutes to the gentleman from South Carolina [Mr. TALBERT].

Mr. TALBERT. Mr. Speaker, with some changes made in the bill, I may give it some support. If allowed, I will offer an amendment which might enable me to support it. This bill has some good features in it. In the first place, it will benefit the private soldier, his widow, and children. As I understand, it is intended for that class of soldiers, and they are the ones who need most attention. I do not know but it is just and right that their disabilities should be aggregated. For instance, if their disabilities consist of one disease and another and they can be rated higher than any one of the diseases, giving them possibly four or six dollars, it is only just and right and proper that those disabilities should be added together, just as 2 and 2 make 4 and 2 more make 6, until they get up to \$12 a month. That seems to be just.

And then I see no particular reason why the limit of income of the poor widow of a private soldier should not be raised from that of \$96 to the income that is stipulated in this bill, of \$250. That will benefit the poor man's widow and his children. That much is good, perhaps, as it will help the poor.

Then another indication is that I believe the passage of this bill will prevent, to a certain extent, the introduction here of a number of bills asking for private and special legislation, especially for increases in pension.

Now, if the chairman of the committee will agree that by unanimous consent this bill be amended by adding a proviso that no more bills shall be introduced here for special legislation for pensions under the act of June 27, 1890, to which this bill is applied, I then am willing to give it my assent; otherwise I can not do so. Then it will balance itself.

But, Mr. Speaker, I want to say that it is really amusing to see the Republicans and the Democrats and the Populists prancing up and down the aisle here, bidding for the vote of the old soldier in such a vehement manner. It reminds me of the old gentleman who had a pet monkey. His boy did not drive home the calves quite early enough at night; so the old man thought to frighten him, and at dusk took a sheet and went down in the woods to frighten the boy. The old man had not seen the monkey following him with a sheet over him, for old people never look behind them. However, when he did see the monkey, he was frightened, and he started to run, and the monkey after him. The little calf boy saw them both, and he said, "Run, big devil, run, or the little devil will catch you." Now, it seems to me that the Republicans are in the lead, with the Democrats after them, and the Populists are crying, "Run, big devil, run, or the little devil will catch you." [Laughter.]

I am willing, Mr. Speaker, to vote for the bill with that amendment providing that no more special bills be brought in here for an increase of pensions thus received.

Mr. NEVILLE. Will the gentleman answer a question?

Mr. TALBERT. Yes, if I can.

Mr. NEVILLE. Does not the gentleman know that this Congress can not pass any law which will prohibit the next Congress from legislating on the subject?

Mr. TALBERT. Well, the gentleman has asked me a conundrum. I can not tell him what Congress will do or not do in anything like this, because they camp outside of the Constitution one day, when it suits them, and then come back into it the next, when it suits them.

Mr. NEVILLE. Does not the gentleman know that Congress is for the purpose of legislating, and that one Congress has no right to pass any law seeking to control the legislation of another Congress?

Mr. TALBERT. I say, under ordinary conditions, yes; but conditions and circumstances have changed until I do not know how to answer that question. [Laughter.]



Mr. MIERS of Indiana. Mr. Speaker, I now yield five minutes to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, the measure now before the House is in the interest of the soldiers of the Union, and I am in favor of it and shall vote for the bill. I am now, always have been, and always will be a friend of the men who saved the Union, and I shall always favor the most liberal pension legislation in the interest of our heroic soldiers, their widows, and their orphans. I would make the pension roll a roll of honor to the friends of liberty and the brave defenders of our national existence. All glory, I say, to the brave men who fought for freedom in the dark hours from 1861 to 1865.

And, sir, in this connection I want to say all honor and all glory to the brave men who are now fighting for freedom and republican institutions on the veldts of South Africa. [Applause on the Democratic side.] I want to say a few words in favor of the Boers. I want the liberty-loving people of this country to know why official America refuses to sympathize with them in their struggle to maintain their independence. You Republicans stand up here and talk of freedom, of liberty, and about patriotism, but you dare not pass a resolution through this House extending sympathy to the liberty-loving and patriotic Boers of South Africa. Official America sneezes when Downing street takes snuff. Republicans, I dare you to permit this resolution in favor of the Boers to come to a vote.

Mr. WHEELER of Kentucky. Will the gentleman allow me a question?

Mr. SULZER. I have only five minutes.

The SPEAKER pro tempore (Mr. CAPRON). The gentleman from New York declines to yield.

Mr. SULZER. This morning—this being suspension day and the motion being in order—in accordance with the rules, in accordance with my rights as a member of this House, I moved to suspend the rules and pass the following resolution:

*Resolved*, That we watch with deep and abiding interest the war between Great Britain and the South African Republics, and, with full determination to maintain a proper neutrality between the contending forces, we can not withhold our sympathy from the struggling people of the Republics, and it is our earnest desire that the Government of the United States, by its friendly offices offered to both powers, may assist in bringing the war to a speedy conclusion in a manner honorable to both Great Britain and the African Republics.

Now, sir, the Speaker, in violation of the rules of this House and contrary to all parliamentary precedents, arbitrarily ruled my motion to suspend the rules and pass the resolution as out of order, and ordered me to take my seat. His action, as witnessed here this morning, clearly demonstrates that the Republican party is opposed to the Boers in their struggle to maintain their freedom and independence and is in secret sympathy with the Empire of Great Britain in its cruel, predatory, and rapacious war to devastate and exterminate the two little Republics of South Africa. The Speaker says he will not recognize a member of this House unless he knows in advance the purpose for which the member rises. If his position is right, then he is the House, and representative government is a farce. I protest against it.

Sir, actions speak louder than words; and the action of the Republican party in the White House, in the Senate, and in this House of Representatives proves, if it proves anything, that the President and the Republican party are opposed to the Boers and in favor of Great Britain. I read in a New York newspaper the remarks of Mr. Webster Davis, made to a New York audience last night, in which he said that President McKinley is a patriot and a grand American and was opposed to the robbery and the murder Great Britain was carrying on in South Africa, and that the President would do his duty.

I challenge that statement. It is not in accordance with the facts and the record. In my judgment, it is absolutely inconsistent with the truth. The Administration is not patriotic; it is not American. On the contrary, it is doing all that it can to suppress the honest expression of opinion in this representative body regarding the war in South Africa. Nine-tenths of the American people are in sympathy with the Boers, and they want Congress to pass a resolution sympathizing with them in their heroic struggle, but the Administration refuses to permit Congress to express its opinion.

The Administration is doing all it can against the South African Republics. It is doing all it can in favor of Great Britain. If it were a patriotic Administration, if it were truly representative of American sentiment, it would have followed the precedents of a century and extended its sympathy long ago to the Boers. We sympathized with Poland, with Hungary, with Greece, with Armenia, with all the South American Republics, with Cuba. Many we helped. Why, I ask in the name of all these precedents, in the name of all our glorious past, do we refuse to sympathize with the Boers?

Is it because England dominates the McKinley Administration? Is it because the Republican party has surrendered American rights to British interests? Is it because, officially, American

sentiment is dead? This morning when the Speaker told me that he would not recognize me, that he would not permit the consideration of the resolution I offered, what a spectacle he presented! I felt sorry for him. No doubt he was simply obeying his orders from the White House or from MARK HANNA; but it is a spectacle that should make every friend of representative government blush with shame.

Just a word more. In my judgment Congress should act. Now is the time to do something. America should do its duty and do it at once. We must not wait. We should respond to the overwhelming sentiment of the country and pass a resolution extending our sympathy to our two brave little sister republics of South Africa. The Boer peace commissioners are on the way here, and if we did this now we would not only be doing our duty, but what a grand welcome the news would be to them, and how it would enthuse and encourage their struggling compatriots in South Africa. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SULZER. I ask for a few minutes more.

Mr. MIERS of Indiana. I would be glad to yield further to the gentleman, but the time under my control is all promised. Mr. Speaker, I ask that gentlemen on the other side now occupy a part of their time.

Mr. SULZER. Very well; but I will have something more to say on another occasion.

Mr. GRAFF. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from New York has thirty minutes and the gentleman from Illinois twenty-seven.

Mr. GRAFF. I yield five minutes to the gentleman from Tennessee [Mr. GIBSON].

Mr. MIERS of Indiana. I would be glad to yield further to the gentleman, but the time under my control is all promised. Mr. Speaker, I ask that gentlemen on the other side now occupy a part of their time.

Mr. GRAFF. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from New York has thirteen minutes, and the gentleman from Illinois twenty-seven.

Mr. GRAFF. I yield five minutes to the gentleman from Tennessee [Mr. GIBSON].

Mr. GIBSON. Mr. Speaker, when the act of 1890 was passed its first great object was to grant pensions to those soldiers who, in consequence of their inability—

Mr. COX. Before my colleague proceeds further, will he give me this information—

Mr. GIBSON. I yield with pleasure.

Mr. COX. What committee does this bill come from?

Mr. GIBSON. The Committee on Invalid Pensions.

Mr. COX. And that committee has a day for the consideration of this bill?

Mr. GIBSON. No, sir; the days assigned by the rule are for private pension bills. This is a public or general bill.

The main object of the act of 1890, Mr. Speaker, was to pension those soldiers who were unable to connect their disability with Army service and to pension their widows if left poor. The men who passed the bill gave it that construction. The then Commissioner of Pensions, Green B. Raum, in an order which he made on the 15th of October, 1890, gave that construction to the statute; and that construction obtained in the Pension Bureau down to June 9, 1893, when William Lochren, Commissioner of Pensions under Mr. Cleveland's Administration, made a different order.

#### BASIS OF RATINGS—ORDERS 164 AND 225.

The fixing of ratings after the passage of the act of June 27, 1890, by Order 164, was as follows:

#### Order No. 164.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS.  
Washington, D. C., October 15, 1890.

In regard to fixing rates of pensions under the act of June 27, 1890:

That all claimants under the act of June 27, 1890, showing a mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, and which incapacitate them from the performance of manual labor, rendering them unable to earn a support in such a degree as would be rated under former laws at or above \$6 and less than \$12, shall be rated the same as like disabilities of service origin, and that all cases showing a pensionable disability which, if of service origin, would be rated at or above \$12 per month, shall be rated at \$12 per month.

GREEN B. RAUM, Commissioner.

Approved:

CYRUS BUSSEY, Assistant Secretary.

Under this beneficent order all disabilities were rated as though of service origin, up to and including \$12 a month; and, as a result, no complaints of inequality or injustice came from the old soldiers during Harrison's Administration as to the construction of the act of 1890.

On June 9, 1893, after Mr. Cleveland became President, an order was issued which changed the Raum ratings of pensions under the



act of June 27, 1890, and which order has been ever since, and is now, in force. This order is as follows:

Order No. 225.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., June 9, 1895.

As to adjudicating and fixing rates of pensions under the act of June 27, 1890:

1. A claim for pension under the second section of the act of June 27, 1890, can only be allowed upon proof of mental or physical disability of a permanent character, not the result of the claimant's own vicious habits, incapacitating him for the performance of manual labor in such a degree as to render him unable to earn a support.
2. No specific injury or disability can, as such, have a pensionable rating under that act, nor be considered otherwise than as it affects the capacity of the claimant to perform ordinary manual labor.
3. Proof that the disability is not the result of the claimant's own vicious habits is requisite; and therefore the causes and circumstances of the origin of the disability should be shown by the evidence furnished in support of the claim for pension, so far as can be done, and by persons other than the claimant.
4. To give the claimant a pensionable status under this act the disability must be such as to incapacitate him for the performance of manual labor in such a degree as to render him unable to earn a support; yet the act recognizes differences in the degree of such pensionable disability, giving \$12 per month in case of the greatest and \$6 per month in case of the lowest degree of such pensionable disability rendering the claimant unable to earn a support by manual labor. It also provides for intermediate ratings proportioned to the intermediate degrees of such pensionable disability. The proper ratings under this act will therefore be made in accordance with such rules for rating as the medical referee shall prescribe, subject to the approval of the Commissioner.

Approved:

WM. LOCHREN, *Commissioner*.

HOKE SMITH, *Secretary*.

The effect of this technical and illiberal order was that many deserving soldiers could get no pension at all under the act of 1890, and those who managed to squeeze through the "strait and narrow gate" got much less than they deserved.

The change in the construction of the act of 1890 made under Mr. Cleveland's Administration was the result of Democratic unfriendliness to pension legislation and a disposition to reduce the number of pensioners on the roll.

#### DEMOCRATIC ASSAULT ON THE PENSION ROLL.

In the Presidential campaign of 1893 every Democratic politician had much to say about "pension frauds" and the "legalized pillage of the Treasury by the pension sharks;" every Democratic newspaper had much to say about "the people being robbed" and the "Treasury being looted" by "bounty jumpers," "coffee coolers," "camp followers," "bummers," and "deserters," "licensed by law to rob the Government."

Mr. Cleveland came into power breathing threatenings and slaughter against the pensioners, and in his message of 1893 to Congress actually declared that "thousands of neighborhoods had their well-known fraudulent pensioners."

Mr. Speaker, I will undertake to say that never before nor since has so atrocious a calumny been hurled at the heads of a nation's soldiery. It is easy to circulate a general slander. Envy, hatred, and malice, all join to give it currency, add to its volume, and multiply its details.

And so a general and indiscriminate campaign was entered upon by Mr. Cleveland's Administration against the men and women on the pension rolls. An army of special pension examiners were put into the field; 60,000 Democratic postmasters were used as spies, scouts, and guides; all the multitudes of Democratic newspapers brought up their heavy artillery and joined in the bombardment, and at least \$1,000,000 were expended in the tremendous effort to brand almost every pensioner as, more or less, a fraud, and almost every person trying to get a pension as trying to perpetrate a fraud.

The land was raked from the lakes to the Gulf and from ocean to ocean as with fine-tooth combs; the sleuthhounds of the Pension Bureau scented every trail, sniffed at every rumor, and ran down every suspicion and every slander; the names of the pensioners were published in the newspapers, and the neighbors and comrades of the pensioners were, in effect, called on to scrutinize their right to a pension. Every device that partisan prejudice or personal malice could invent was resorted to; the records of 970,000 pensioners were searched as with X-rays.

#### THE CHARGES AGAINST THE PENSIONERS DISPROVED.

And what was the outcome of all this enormous expenditure of public money? What was the result of all this investigation and exploration? The mighty mountain was in all the pains of parturition. It heaved and roared and smoked. And what did it bring forth? A ridiculous mouse! Such is the ancient fable. And so what do you think, Mr. Speaker, was the outcome of all this thunderous assault on the records of 970,000 pensioners? One hundred thousand found guilty? Oh, no. Fifty thousand? Oh, no. Ten thousand? Oh, no. One thousand? Oh, no. What! not 1,000 out of 970,000? Not 1,000.

Did not Mr. Cleveland say in his 1893 message to Congress that "thousands of neighborhoods had their fraudulent pensioners?" He did; but his message was proved to have been false, slanderous, and scandalous. How many fraudulent pensioners were there

found as the result of all this tremendous accusation and searching investigation? Thirty-nine! How many? Thirty-nine! Only 39 out of 970,000 pensioners! Only 39 out of 970,000 pensioners convicted for fraud. The mighty mountain of slander had indeed brought forth only a ridiculous result.

Mr. Speaker, never was so tremendous an accusation found to have so little foundation in fact; never was so stupendous a slander found to contain so few and small particles of truth. Nine hundred and seventy thousand men and women charged with fraud, and only 39 found guilty. Out of every 24,000 pensioners accused only 1 convicted.

Mr. Cleveland's Administration spread a long and wide net, expecting to catch thousands and tens of thousands of fraudulent pensioners, and lo, when the net was hauled in, instead of thousands and tens of thousands of big fish being caught, only a few minnows were found tangled in its meshes.

But the work of the last Democratic Administration did not end here. As I have already shown, Commissioner Lochren, in the shape of an order, modified the act of Congress approved June 27, 1890, and enacted a new law whereunder it was decreed that a soldier's different disabilities could not be added together to make a pensionable disability, and rating a pensioner under the act of 1890 by a less favorable rule than that applied under the general law.

#### ANOTHER ATTACK ON THE PENSION ROLL.

No; Commissioner Lochren did not stop here. He established in the Pension Bureau a board of revision to retry, cut down, and stop all pensions granted under the act of June 27, 1890. This board of revision was organized to find frauds, to detect errors, and to discover mistakes. Over 200,000 cases were investigated. Every pensioner was presumed to be guilty of some fraud, or, if not guilty, he was presumed to be drawing a larger pension than he was entitled to under the amendment to the law enacted by Commissioner Lochren.

With such a disposition animating this board, organized as it was to convict, there could not well be but one result. The slaughter of the old soldiers began. The massacre of the innocents by the bloody Herod was outdone. Thousands of honorable and valiant soldiers, rightfully entitled to pensions, were dropped from the rolls and branded as though they were guilty of some crime in applying for a pension and receiving what the examining surgeons of the Government declared was their just due. Tens of thousands of other brave and deserving soldiers had their pensions reduced; and scores of thousands of other soldiers only held on to their pensions by furnishing further proof as to their right to the rate allowed them.

Never since the Saviour of mankind was crucified on Calvary have the saviors of a great nation been so cruelly maltreated. Storms of slander, tornadoes of vituperation, and blizzards of billingsgate broke in awful fury upon the heads and hearts of our pensioners; but as the stars in heaven shine all the brighter after a storm, so the pension roll shone all the brighter after the fury of the pension haters had spent its force. To the gratification of the patriotic, to the satisfaction of the sympathetic, and to the mortification and shame of the slanderers and vituperators, it was found that the charges of fraud and perjury were wickedly false; that "coffee coolers," "bounty jumpers," "deserters," "camp followers," and "bummers" had not been pensioned, and that the pension roll of our day, as in the days of Washington and Jackson, was indeed a roll of honor on which any man or any woman, however high in "society" or great in fame, may well be proud to have his or her name inscribed.

And now, Mr. Speaker, this bill proposes, in effect, to repeal Commissioner Lochren's law and to reenact the law of 1890, as Congress intended it should be, and to restore Commissioner Raum's order No. 164, and thus to do a larger measure of justice to the old soldiers of our country who are unable to prove to the satisfaction of the Pension Bureau that their disabilities are of service origin.

This bill, prepared by the pension committee of the Grand Army of the Republic, is intended to give the soldier a higher rating up to \$12 a month than he can now get, and I support it for this reason.

#### OTHER DESERVING SOLDIERS YET TO BE PROVIDED FOR.

But, Mr. Speaker, I will never be entirely satisfied with the act of 1890 until its benefits are extended to these three classes, who can now get nothing:

First. The National Guards of East Tennessee, organized by Gen. A. O. Burnside by direction of President Lincoln.

Second. The Union men of the South who were forced to enter the Confederate army, but afterwards escaped and joined the Union Army and served faithfully and honorably until discharged.

Third. The men who served two, three, and four years, and were never in the hospital and never incurred any disability, and have no disability to-day except that arising from old age.

I wish to say in behalf of the National Guards of East Tennessee that they not only rendered good service to the Union cause, but



furnished their own horses, wore their own clothes, subsisted on their own provisions, and served without pay.

And as for those Union men who were forced to serve for a season in the Confederate army, and afterwards escaped and joined the Union Army and served faithfully, I want to say that they not only ran all the ordinary risks of the Union soldier, but ran the further risk of being shot as deserters if ever captured by the Confederates.

I wish it distinctly understood, Mr. Speaker, that this bill does not satisfy me; it is very far from being satisfactory. In addition to the pension laws already on the statute books I want to see a law there that will grant a pension to every honorably discharged Union soldier in proportion to the length of his service, without reference to the question whether he is now disabled, or ever was disabled. I want to see on the pension rolls every one of those magnificent fighting men who served two, three, and four years and were never in the hospital a day—the men whose splendid valor sustained our cause in those trying days, weeks, months, and years when it hung trembling in the balance, no one being able to tell whether the Union would survive or would perish.

I would have offered an amendment to this bill, Mr. Speaker, to cover these three classes of brave and deserving soldiers had not the Grand Army of the Republic pension committee expressed the wish that this bill be not burdened with any amendments covering other matters. I am happy, however, to have assurances from my committee and from many members on this floor that some, if not all, of these three classes of neglected soldiers will be made pensionable, if not at this session, at least before this Congress comes to an end.

#### THIS BILL CARES FOR THE WIDOW.

Another purpose of this bill, Mr. Speaker, is to declare in substance that \$96 a year is not enough for a widow to live on comfortably in her old age. I will enter into no disputation with the Pension Bureau as to whether the \$96 limit was right or wrong; that is neither here nor there so far as this bill is concerned. Every man who has had experience in housekeeping knows well enough that a poor woman in her old age is not able to support herself on \$96 a year. But under the ruling of the Pension Bureau, if a soldier's widow, under the act of 1890, has an income of as much as \$96 a year she is denied a pension, so that in substance this bill provides that all soldiers who served ninety or more days in the United States Army during the war of the rebellion and have an honorable discharge may draw a pension under this act, and have their disabilities aggregated and rated as aggregated, and that widows who receive an actual net income not exceeding \$250 a year shall be entitled to pension under the act.

If a widow of a private soldier can show that her husband died from disability contracted in the Army or Navy, she gets a pension of \$12 a month, regardless of her other means of support; but if she can not make this proof, she can get only \$8 a month, and can not get this if she has other means of support equal to \$8 a month. The effect of this ruling, whether right or wrong, is to deny pensions under the act of 1890 to many widows who have a little home or a little income, not near enough to support them, but just enough to cut them out of a pension.

I have already stated that Mr. Cleveland's Administration was hostile to the soldier pensioners under the act of 1890, but it was also hostile to the soldiers' widows who claimed pensions under that act.

#### LIBERALITY, NOT PARSIMONY, OUR TRUE PENSION POLICY.

Commissioner Raum, however, favored a liberal construction of the law as to widows just as he favored a liberal construction as to soldiers. And why, Mr. Speaker, should not the pension laws be liberally construed? Were they not all passed as an evidence of the nation's gratitude and respect for the men who had saved its life? And when Congress, representing the nation, has passed a liberal pension law, what right, reason, or excuse has a Commissioner of Pensions to try, by illiberal constructions and stringent rules, to deprive the soldier or the soldier's widow of that full and running-over measure that Congress intended?

Congress never intended that the money it appropriated to pay pensioners should be doled out by the Commissioner of Pensions as though every dollar by him paid was a drop of blood from his own heart, and that heart feeble unto death. Congress recognizes the old soldiers as the saviors of the nation, and intends that their pensions shall be paid with a generous hand and a smiling face, and that the pensioner should feel that his country appreciated him for his sacrifices and honored him for his bravery and patriotism.

#### HARRISON'S ADMINISTRATION FRIENDLY TO THE WIDOW.

The act of 1890 was passed under Harrison's Administration, an Administration specially friendly to the Union soldier, and Green B. Raum, Harrison's Commissioner of Pensions, imbued with the spirit of the Administration and appreciating the object of Congress, gave a liberal interpretation to the act of 1890, in so far as it applied to widows as he had previously done in so far as it ap-

plied to the soldiers, and he issued the following order on May 12, 1891, known as order or ruling No. 241:

In considering the testimony alleging that the widow is without other means of support than her daily labor, it is proper to keep in view the fact that the support contemplated by this act includes both shelter and raiment for the widow and children of the deceased soldier who are dependent upon her. When it is shown that the income of the widow is inadequate for such support, and that she is dependent for the same upon her daily labor, the pension should be granted.

Under this ruling widows with incomes of \$300 or less were granted pensions, but when Mr. Cleveland came into the office of President his Commissioner of Pensions, William Lochren, changed this ruling as to widows, as he also changed the ruling as to soldiers, and denied a pension to widows, under the act of 1890, whose income was \$96 a year or more.

The hardship of this harsh and narrow ruling has long been manifest. The widows of our dead soldiers are nearly all old, and many of them are feeble and afflicted with the ailments incident to age, and surely it was not the intention of Congress to hold that \$96 a year was enough for a widow to live on, and support or help support those reasonably entitled to live with her and constitute a part of her household, and make her declining years as comfortable and pleasant as possible.

#### PRESIDENT MCKINLEY THE WIDOW'S FRIEND.

The great injustice done the widows by the Pension Bureau was finally brought to the attention of President McKinley, and that big soldier heart of his recognized the wrongs done the widows of his dead comrades, and in his last annual message to Congress he says:

The Grand Army of the Republic at its recent national encampment held in Philadelphia has brought to my attention and to that of the Congress the wisdom and justice of a modification of the third section of the act of June 27, 1890, which provides pensions for the widows of officers and enlisted men who served ninety days or more during the war of the rebellion and were honorably discharged, provided that such widows are without other means of support than their daily labor and were married to the soldier, sailor, or marine on account of whose service they claim pension prior to the date of the act.

The present holding of the Department is that if the widow's income, aside from her daily labor, does not exceed in amount what her pension would be, to wit, \$96 per annum, she would be deemed to be without other means of support than her daily labor, and would be entitled to a pension under this act; while if the widow's income, independent of the amount received by her as the result of her daily labor, exceeds \$96, she would not be pensionable under the act. I am advised by the Commissioner of Pensions that the amount of the income allowed before title to pension would be barred has varied widely under different administrations of the Pension Office, as well as during different periods of the same administration, and has been the cause of just complaint and criticism.

With the approval of the Secretary of the Interior the Commissioner of Pensions recommends that, in order to make the practice at all times uniform and to do justice to the dependent widow, the amount of income allowed independent of the proceeds of her daily labor should be not less than \$250 per annum, and he urges that the Congress shall so amend the act as to permit the Pension Office to grant pensionable status to widows under the terms of the third section of the act of June 27, 1890, whose income, aside from the proceeds of daily labor, is not in excess of \$250 per annum. I believe this to be a simple act of justice, and heartily recommend it.

Therefore it is, Mr. Speaker, that your Committee on Invalid Pensions, hearkening to the pathetic appeals of our soldiers' widows, responding to the request of the Grand Army of the Republic, and complying with the recommendation of the President, have reported this bill providing that no widow should be debarred under the act of 1890 whose actual net income is not over \$250 a year, and I have the confident expectation that this change in the law will receive the unanimous support of every member of this House. The blessing of Heaven is promised the man who cares for the widow and the fatherless, and I devoutly believe that the favor of Heaven will bless the nation that cares liberally for the widows of those who cared for it. [Applause.]

Mr. GRAFF. I will ask the gentleman from Indiana [Mr. MIERS] to use some of his time.

Mr. MIERS of Indiana. I yield three minutes to the gentleman from Ohio [Mr. LENTZ].

Mr. LENTZ. Mr. Speaker and gentlemen of the House, it seems to me that the propositions contained in this act are so plain that they are, as we say in mathematics, axiomatic. I fail to see a single reason why we should even hesitate to pass this bill. The widows who will be provided for in this law could not, under the law as it now stands, even pay house rent in many of the homes in this country, or, having paid house rent, would be absolutely without any income for other necessities. Besides that, it seems exceedingly unjust to widows of old soldiers to limit them to the miserable allowance of an income as small as the one in the present law as it is now interpreted, when we consider how many of the soldiers themselves draw large pensions, although they may have very considerable incomes.

To my mind and to my experience, as I meet the applicants for pensions in my district, this limitation on the income of a widow being so low, has worked one of the greatest of hardships. Some of the most deserving women have small children and are really prevented from giving their children the benefit of homes such as they deserve, and are particularly prevented from giving them the benefit of an opportunity to attend the public schools. This



pension allowed here goes rather to the children in every home before it goes to the mother. The average mother, because of a mother's love, feels the need of this money for the purpose of schooling and clothing her children rather than for herself, and when we make this larger allowance of income before depriving a widow of her pension, we are really providing for a better citizenship by providing for a better education for the children of the old soldiers than under the present regulations which have governed in this Department.

In another particular this bill will do great good. Many men who are now on the pension rolls, or who are seeking to be placed there, are prevented from receiving justice by reason of the narrow interpretation as to their disabilities, and they feel that a hardship is being done them in the Pension Department. Above all things, it seems to me that a government should do the just and fair thing with all these pensioners.

In fact it is just as important, yes, it is more important, that the Government shall appear incapable of doing anything except equal and exact justice to all. But by the interpretation of the laws under the prevailing practice many a man knows that his own disabilities are greater than those of some one of his neighbors, and that notwithstanding this fact the neighbor is receiving a greater pension than he is.

As a result of these differences and discrepancies the old soldiers, their sons, and their neighbors are impressed with the feeling that men holding high places are guilty of unjust discrimination, and it becomes an exceedingly nice question whether the Government is not doing almost as much harm by making so many of the old soldiers question the integrity of those in power as it is doing good by its charity and generosity in its efforts to reward the patriotic self-sacrifice made by the soldiers who offered their lives to save the Union.

It would have been more to our credit if we had begun in the early part of this session to legislate in behalf of the old soldiers who saved the Union, in behalf of the men who exposed themselves not only to the risk and ruin of war in the sixties, but who also denied themselves the right and privilege and opportunity in their young manhood of establishing themselves in business and professional careers which would have placed them far beyond the need of the paltry contributions now made by a great and gigantic Republic that seems to have hundreds of millions to burn in carrying on wars on the other side of the earth, creating a new list of pensioners without any good to be realized from it to those within the boundaries of the Republic as it existed before the beginning of the empire.

At the beginning of this session, yes, on the very first day of the Fifty-sixth Congress, I introduced a bill, known as House bill No. 11, to provide for granting a per diem service pension to honorably discharged officers and enlisted men of the Union Army in the civil war. That bill, as I understand it, is not only the desire and choice of the Union Veteran Legion, but has the recommendation and indorsement of a vast majority of the members of the Grand Army of the Republic. There are men in these times who do much preaching and prating about national honor and about benevolent assimilation and about duty and destiny; but when it comes to fair and just treatment of the men who preserved this Republic that it might have a destiny, and that it might become strong and capable of doing good, their words only remind us of Shakespeare, when he said:

Words are easy, like the wind,  
Faithful friends are hard to find.

In behalf of the people of the capital district of Ohio, I feel justified in saying that by a large majority they agree with me that our "plain duty" is to legislate and provide liberal and just pensions for the men who gave a future to the American Republic, rather than to take up our time here through the opening months of the session providing extravagant Army and Navy appropriations running up into the hundreds of millions, for the sole purpose of imitating England in her colonial career of pomp and greed.

The only excuse that was given two years ago for refusing to pass a per diem service-pension law was the statement that the Government was unable to make larger appropriations for this purpose, and yet to-day we see the same Government preparing to squander two hundred millions annually for the sole purpose of carrying battle-axes and spears into the remote parts of the earth, to carry on wars of conquest merely for the gratification of the vanity of a few men, and for speculation on the part of a few gigantic trusts and capitalistic combines.

How much better would it be if we as members of the American Congress should pledge ourselves to the old soldiers of the civil war that we would immediately pass a per diem service-pension law if they would rise up in their dignity, their intelligence, and patriotism and rebuke and repudiate at the next November election an Administration that is violating all the teachings of Washington, Jefferson, Monroe, Jackson, and Lincoln in its mad career to imitate the monarchies of Europe rather than to expand and glorify

the teachings and the influences of the Declaration of Independence! How much better and how much more creditable would it be to the American Congress if we should pledge to the American people our determination to cut off expenditures for wars of conquest and make use of our surplus income providing a fund out of which to pay the pensions that have been due to the old soldiers, their widows and orphans, even with the law as it has been for many years past, rather than keep them waiting, begging, pleading, praying for a just settlement.

As for me, I am unable to see any good reason why we should not take care of our own family of old soldiers and old patriots, rather than waste our hundreds of millions in a mad career of criminal aggression among 10,000,000 of freemen who had driven the Spanish tyrants into the sea and who scorn our professions of benevolent assimilation and accept them only as the pretensions of hypocrites and despots. Let us not forget that "He who ruleth his own spirit is greater than he that taketh a city." Let us not forget that the nation that governs itself, doing equal and exact justice to all of its citizens, is greater than the nation which one day proclaims that its "plain duty" is free trade with a weak and defenseless subject island and the next day with buncombe proposes to tax them without their consent and without representation.

Let us not forget that he who neglects his own family is worse than a heathen, and I therefore appeal to you, gentlemen of the American Congress, that you not only pass this measure looking to the betterment of the condition of our own people, but that you take up for immediate consideration the per diem service-pension bill and remain here as long as usual in the long session and pass that. Let us remain here and immediately provide for the improvement of our postal service by Government ownership of a postal telegraph and telephone. Let us remain here until August, as usual, and appropriate a few more millions to connect by ship canals our Great Lakes with our great rivers, and through them with the Gulf of Mexico and the Atlantic Ocean. Let us remain here and begin a great national system of irrigation and redeem territory enough in the Rocky Mountain regions to furnish happy homes for the millions of Americans who will soon be begging and pleading for homes of their own in a country and a climate capable of producing the highest and the noblest types of manhood and womanhood ever seen on the face of the earth.

Let us begin, if you please, with our thousand millions of taxes levied upon a patient and long-suffering people to establish great national levee systems in the Mississippi Valley, and thus bring into everlasting possession of American citizenship a valley richer than was ever dreamed of in the most fertile brain that was ever inspired in the rich valley of the Nile. Let us begin now, not so much to spread the boundaries of our Republic until we reach the territorial limits of empire, but rather let us continue the work begun by Washington and Jefferson, the work of enlarging the brain and ennobling the heart of the American citizen. Let us make it our proud mission to build such manhood and womanhood here on the North American continent that the day shall not be far distant when poetry and oratory will not appeal to Rome for its highest type of citizens, saying, "He was the noblest Roman of them all," but that all literature of every language shall find somewhere within the inspired lines of their most eloquent chapters these words, as descriptive of their highest ideal of manhood: "He was the noblest American of them all."

Mr. MIERS of Indiana. Mr. Speaker, I can conceive of no valid objection that can be urged to the passage of this bill. There is nothing hidden or covered in it. It contains two propositions, and two only. The first proposition is that under the act of June, 1890, the law shall be so construed as to aggregate the ratings, and that the soldier under the act of 1890 shall have the benefit of his disabilities to the extent that he is suffering the injury at the time. If he has a seven-dollar disability in the way of rheumatism and five for diarrhea, making a total of twelve, the present system is to give him a pension of about \$6, or about half the amount he is entitled to. This bill provides that these disabilities shall be aggregated until they reach the limit of \$12 from the time of filing, and get rid of the rule that only grants relief from the last examination or one that will require a new claim to be filed. That was the intent of the original enactment of the law. It was not only the original intention, but it was so administered for many years; but after a time order 164 was changed and order 225 was adopted by the Bureau. The purpose of this bill is to nullify order 225 and reestablish order 164.

Under the law as now administered if a widow has a small income—a little pittance of \$96 a year—it is held that she is not entitled to be pensioned under the act of June 27, 1890, notwithstanding she may be the war widow, who suffered at home while the soldier went to battle for his country. She must toil on and not be entitled to the benefits of the bounty of the Government. This bill simply raises that limit to \$250; so that any income less than \$250 shall not preclude her.

These two propositions are the only ones that are contained in



this bill, and I most heartily approve each of them, and I want to say to this House that this is a unanimous report. Every member of the committee signs it and indorses it with his whole heart and soul. I want to say in addition to that that your Committee on Invalid Pensions not only agree to this bill but they are in favor of much more. [Applause.] We are a unit upon the proposition that where the law says the soldier shall be pensioned unless his disability is occasioned by reason of his own vicious habits the burden of proof ought to be on the Bureau and not on the old soldier. The presumption should always be in favor of upright manhood.

Mr. DENNY. That is right.

Mr. MIERS of Indiana. Mr. Chairman, a greater insult has never been offered. There is not a court in any State of the Union where a man is brought in and confronted with the charge or the presumption that his physical condition is occasioned by reason of his own vicious habits. No such rule has ever been applied in the courts. Your committee were in favor of placing a remedy for that upon this bill.

Your committee were a unit upon another proposition, and that was, where the Department accepted a soldier after an examination and he went forth and did service for his country, that instead of his being required, as now, to prove that he was in good physical condition when he was accepted, the burden of proof ought to be on the Bureau to establish the contrary. Aye, Mr. Speaker, not only ought the burden of proof be on the Department, but the acceptance of a soldier after an examination at the time of his enlistment ought to be proof positive, and the Government ought not to be permitted to contradict it. [Applause.]

Mr. CURTIS. Why did you not put a provision in this bill placing the burden on the Department?

Mr. MIERS of Indiana. I will answer the gentleman's question when I make one more observation. We were not only in favor of that, but we were also in favor of a more liberal construction of the statute by the Pension Bureau. Now, to the question of the gentleman from Kansas as to why we did not provide that the burden of proof should be on the Department, I will say that it was because the grand old veteran, General Sickles, who sits over there, with his life shortened by the wounds that he received in the service, with his manhood a holy word in every county in the Union, came before the committee and said: "This bill has passed the Senate as it is, and here are the widows who can get nothing; here are the old soldiers under the act of 1890 who can only get six or eight dollars. You are right in your desire to further liberalize the law, but perchance you may affect the passage of the bill. Let us get this much now and then in the future get what we can." In answer to the gentleman from Kansas, I will ask further, who is responsible for this construction of the statute? The Commissioner of Pensions primarily; yes, but who back of him?

Mr. CURTIS. I want you to say who, and then I will tell you who I think is responsible.

Mr. MIERS of Indiana. Back of him, the Administration.

Mr. CURTIS. I beg your pardon. Under the order that you complain of and that we complain of, the question of rating under that order is left to the medical referee, and I have the circular issued by the medical referee. I have the order issued by the Commissioner of Pensions, and there is where the trouble lies, and you will not cure the difficulty by this measure unless you compel them to rate the disabilities as of service origin.

Mr. MIERS of Indiana. I do not claim that we shall, and I am only sorry we do not. But when I say the Administration is back of it, I want to say that the Commissioner of Pensions is the appointee of the President. The President can call for a more liberal construction properly enough. If the Administration were to intimate to the Commissioner that it desired a more liberal construction of the statute, it would be done. I would further answer the gentleman from Kansas by saying the medical referee is also the creature of the Administration. The Pension Bureau is administered by the appointees of the Administration, and the appointees of this, as well as all other Departments, reflect the will of the Administration. If the Administration desired a more liberal construction of the pension laws, it would be done. You need not try to shield the Administration, nor the President, and saddle the blame on the Pension Bureau alone. The whole of them are to blame. The Pension Bureau is a part of the Administration, and this unfair construction of the pension laws is well known to the President and meets his approval or it would be changed.

Take the case of the gallant Corporal Tanner, who was one of the real soldiers who left a leg on the battlefield, who is the old soldiers' friend and friend to humanity, whose heart goes out to the old soldier. He was Commissioner of Pensions and was willing to make a liberal construction of this statute. The President of the United States did not hesitate long to call for, and caused, his resignation, because his construction was too liberal to please the President. You need not tell me the present Commissioner would not be removed if his construction did not suit the President.

Here is a Commissioner of Pensions making a construction that is beneath the requirements, and the President of the United States or the Administration behind him can remedy it merely by a suggestion, and will not; and the country and the old soldiers can not be fooled any longer as to where the responsibility lies.

Mr. GARDNER of Michigan. I understand the gentleman to say that the purpose of this bill is to restore order 164. Am I right?

Mr. MIERS of Indiana. You are right.

Mr. GARDNER of Michigan. Order 164 provided for a rating of pensionable disability up to \$12 a month as of service origin, and beyond \$12 a month not to be rated above \$12 a month, did it not?

Mr. MIERS of Indiana. That is right.

Mr. GARDNER of Michigan. Then, why do not the committee put in this bill that construction, and let the Congress of the United States construe the law and not the medical referee?

Mr. MIERS of Indiana. It is very easy to ask a question and it is much more difficult to get fifteen members of the committee to answer it in the same way. It is very easy to propound a question that is plain to me or to you, but when you go to a jury of three hundred and sixty-odd members, the House of Representatives and the Senate, we thought it was better, under the guidance of the light we had, to make a statute that would cover all we could under the circumstances, and recommend the Senate bill as it came to the committee, it being offered by the Grand Army of the Republic.

Mr. CURTIS. Do you not know that you could pass in this House any bill that your committee would report? Is not this House strong enough to make the Senate do justice to the soldiers instead of kneeling to it?

Mr. MIERS of Indiana. I do not think the Senate needs any compelling; I think it is quite as good a friend of the old soldier as the House.

In further answer to the question of the gentleman, if the gentleman will allow me, at the risk of disclosing some of the secrets of the Committee on Invalid Pensions, I will say your Committee on Invalid Pensions did agree upon that kind of a report, and much more, and it is in writing in the committee room now, to speak for itself. Your committee is in favor of it, but somebody's influence—I do not know whether the Administration—somebody's influence came into the committee room and that report was laid aside, and it was thought it was better to take the bill as it came from the Senate. That report will show what the committee favored, and some one caused it to be laid aside, and it was not the Commissioner. I guess it was the Administration. [Applause.]

Mr. GRAFF. I make the point of order that the gentleman is out of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. GRAFF. The gentleman is out of order in referring to anything that occurred in the committee room.

Mr. MIERS of Indiana. I will not pursue that further. I make an apology for having done so by saying the gentleman from Kansas drove me to it. The Committee on Appropriations ought to bear its part. The Commissioner expends all it appropriates. If you want the Commissioner to be more liberal, give him more money.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MIERS of Indiana. I would like my time extended for five minutes, as I have been interrupted somewhat.

Mr. SULZER. I ask that the gentleman have five minutes more time.

The SPEAKER pro tempore. The House has already decided in regard to the time by unanimous consent.

Mr. SULZER. The House can change that by unanimous consent; and I ask unanimous consent that the time of the gentleman be extended five minutes.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the time of the gentleman from Indiana be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MIERS of Indiana. Then, to be hurried in conclusion, I want to say the Commissioner is not alone to blame. He is only doing the will of the President and that of Congress. I believe there is a point that the great American people can not afford to weigh on the apothecary's scale or undertake to measure by the tape line. That point is where its citizens have made such great sacrifices and done so much for our common country. In 1861 this was a happy country of homes. The old flag was fired on at Fort Sumpter, and brave men all over this country quit their homes. I have not time to relate what their sacrifices were nor how much they endured—that is a matter of history—except to say that at the close of the war there was scarcely a home in all this land in which there were not vacant chairs, husbands and fathers armless and limbless and broken and shattered in health.



Who is there here, on either side of this House, that would undertake to weigh or measure the grief and the sorrow thus occasioned for our common country.

Aye, Mr. Speaker, as American citizens we would not weigh nor measure the debt of gratitude that this country has toward the old soldiers of 1861 to 1865. Who would undertake to measure the heartaches, aye, the sacrifices, and the sorrow, endured from 1861 to 1865? We had, Mr. Speaker and gentlemen, scarcely any army. In a few days the brave Americans all over this country, as by magic, did what? They did not stop to count what it was going to cost them to save the Union. They put all behind, listening to their country's call; put all questions of self behind them; bade good-bye to loved ones and all that was dear; and in a short time these men of peace, with more of the milk of human kindness in their make-up than any other nation on the earth, were cemented into the most self-sacrificing, the most patriotic, and the most terrible army that ever went forth to do battle for any country. They saved the Union, and to no class of people, not even the heroes of the Revolution, does this country owe such a debt of gratitude. I am ready to pay my part of that debt in love and honor to the heroes of 1861 and will ever be found voting for any reasonable pension bill in their favor. [Applause.] I am in favor of economy, but I would begin somewhere else. There are many other places where this House can show its purpose to economize. I have not time to enumerate them here.

They saved the country. Aye, Mr. Speaker and gentlemen of this House, wherever duty calls you can always find the American citizen ready to respond. Ah, Mr. Speaker, wherever the cry of humanity is heard you will always see the American citizen go to the relief without counting the cost. Why, but a year and a half ago we heeded to the cry of the suffering Cubans. We had scarcely any army. In one hundred and twenty days the great American people organized an army, and equipped it, that was able to do battle with any country on the face of the earth; it built and equipped a navy, and at the very first engagement wiped the old Spanish fleet from off the face of the earth. What was that? Was that the American citizen stopping to count the cost? No.

Will this House, will the American people, stop for a moment to count or weigh the debt it owes to the heroes of the war of 1861 or 1898? No, Mr. Speaker, and I thank Providence that the time has come when there is no North and no South. Aye, the time has come when the members from the South come to your rescue, not only to the rescue of gentlemen on the other side, but they surpass you, and I say, repeating practically the language of the gentleman from Ohio, if you gentlemen who have the majority, you gentlemen who do the bidding of the Administration, think I am wrong and will present a bill to the Committee on Invalid Pensions, you will find the Democratic members standing by you; you will find the Democratic members of the House responding to the spirit of Americanism that must make every member of this House and the country at large feel proud.

I thank fortune there are some things that are not bounded by political considerations. I thank fortune that here is one of the great questions that appeal to us as liberty-loving Americans, rather than partisans, and I hope and trust when this bill passes there will not be a single vote against it, that every vote will be recorded in its favor, and I hope you gentlemen will cause the Administration, if I am right in my insinuation, to quit playing politics with the old soldier and bring in a bill here that will grant him some relief. [Applause.]

Let us have an American construction of the pension laws and not a niggardly, parsimonious, false one. The old soldiers demand it; the people expect it. [Applause.]

Mr. GRAFF. Mr. Speaker, how much time have I left?

The SPEAKER pro tempore. The gentleman has twenty-two minutes.

Mr. GRAFF. I yield five minutes to the gentleman from Kansas [Mr. CALDERHEAD].

Mr. CALDERHEAD. Mr. Speaker, five minutes is a very brief time in which to say what I want to on this subject. The gentleman who has just addressed us [Mr. MIERS of Indiana] said very truthfully that this bill has the unanimous support of the committee. That is true, but that does not mean that the bill goes as far as the majority of the members of the committee desire. It does not mean at all that the bill goes as far as I desire. I think that I ought to be frank enough to say that I would not give my consent to the consideration or passage of this bill at this time if it was not at the personal solicitation of the scarred veteran, General Sickles, who now sits in front of me, and his fellow-members on the committee who represent his comrades on the field.

I do not believe that the bill accomplishes all that they hope for it, and I do not believe it accomplishes that which the committee hope for it. It still leaves the application of its provisions to the discretion of the Commissioner of Pensions. But, if the bill should accomplish all that they hope for it, I do not believe it still goes far enough.

Under the recent practice of the House, there is seldom an opportunity for the House to go into Committee of the Whole for the consideration of the President's message, and for that reason the annual report of the Commissioner of Pensions was not discussed in the presence of this House. If upon consideration of the message that report could have been discussed before the House, some things concerning the practice of that Bureau, which my colleague from Kansas [Mr. CURTIS] referred to a few moments ago, would have been fairly plain to the House.

I believe that if any member will take the trouble to read that portion of the report contributed by the medical referee, he will discover practically where the trouble lies. It is not necessary for us to attempt to compare order 164 with order 225 for the purpose of finding what the difficulty in the Bureau is, when we read in the report of the medical referee that the local boards which have been appointed throughout the country for the purpose of examining these soldiers are either too ignorant or too much governed by the political prejudices and affiliations with which they are surrounded to give a fair rating on examination to the soldiers who come before them. There are instances cited in his report and sweeping condemnation of the local boards which are neither creditable to him in his position as an officer of the Department nor creditable to him as a member of the profession to which he belongs. I refer to pages 94 and 95 of the Report of the Commissioner. There has never been a moment when he could not remove ignorant or incompetent men from the local boards.

The truth about it is that if the law as it now exists was administered in the spirit in which it was made, was construed by the law department of the Pension Bureau in the spirit in which it was enacted, or was construed by the medical department of that Bureau in the spirit in which it was made, this bill would not be necessary. The truth about it is that if the same rules of evidence applied before that department that apply in any civil court in any civil suit, or in any suit in equity, this bill would not be necessary.

The law does not go far enough. By some stress of political considerations, or perhaps by some stress of the situation in the House at the time, the law passed in 1890 was made to appear as a law for the extension of charity for the relief of paupers, while the truth is that any pension law which is not a law rewarding with bounteous hand the patriotism of the soldier and his dependents has no business upon the statute book. That same law of 1890 provides that a soldier's widow whose living depends upon her own labor, who has no other resources, shall be entitled to a pension. The fact is that in this law we should strike out that line and all which follows referring to any property or poverty qualification on her part. Every soldier's widow entitled to a pension at all should be entitled to it whether she has property or not.

[Here the hammer fell.]

Mr. CALDERHEAD. Mr. Speaker, I will avail myself of the rule and extend my remarks in the RECORD.

Mr. GRAFF. I yield to the gentleman from Kansas [Mr. CURTIS] for three minutes.

Mr. CURTIS. Mr. Speaker, I am sorry that this bill, which is of so much importance, is to be disposed of with only two hours' debate and without giving members of the House opportunity to amend it. The truth is that the trouble to-day in the Pension Office is not caused by the law, but is the result of rules and regulations adopted in the Pension Office. Those rules and regulations have been against the interests of the old soldier since 1893.

Mr. NEVILLE. Why does not the Administration compel the Pension Bureau to adopt rules in conformity with law?

Mr. CURTIS. You are asking me a question that I can not answer. Perhaps they do not agree with me that the law is sufficient. In 1893, order 164, which was in the interests of the old soldiers, which rated their disabilities as if they were of service origin, and gave entire satisfaction to the old soldiers, was set aside.

A MEMBER. By whom?

Mr. CURTIS. By Commissioner Lochren.

A MEMBER. Who was President?

Mr. CURTIS. Mr. Cleveland.

Mr. MIERS of Indiana. Has not the ruling then made been maintained by the Republican Administration since?

Mr. CURTIS. I will come to that. Thirty-six years ago, when the greatest war which history records was still raging, months before Lee surrendered to the Silent General, the Republican party took its stand on the pension question. The Republican national convention in 1864 said:

*Resolved*, That the thanks of the American people are due to the soldiers and sailors of the Army and Navy who have periled their lives in defense of the country and in vindication of the honor of the flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabling and honorable wounds in the service of the country, and that the memories of those who have fallen in its defense shall be held in grateful and everlasting remembrance.



That plank, written while the country's brave defenders were in the field, expressed the feeling of the Republican party toward the Union soldier then, and there has been no change in the sentiment of our party since. At the grand review in this city, May 27, 1895, the soldiers and sailors of the Union Army and Navy who marched down Pennsylvania avenue read on the great banner which met their gaze:

There is one debt this nation owes which it can never pay; that is the debt it owes to its soldiers and sailors.

This was the sentiment of the country then, and it is the feeling of a large majority of the people of these United States to-day. The Republican party has reason to be proud of its record on the pension question. Every measure of interest to the old soldiers which has arisen has had the support of Republican members of Congress. Since the war Republican Congressmen have, with but two exceptions, voted solidly for every general pension measure which has been taken up and which was in the interest of the soldiers. The general law was enacted in 1862, and from that time to 1875 fourteen other acts were passed which enlarged and improved our pension system. They were all Republican measures. Then came the act of 1890, another Republican measure. A few years ago the gentleman from Pennsylvania [Mr. MAHON] gave the votes of the members representing the two great parties on the various pension measures which have been before Congress since 1878. I will not give the vote on each measure, but will give the totals. The records show Republican members voting for the bills, 1,304; Democrats for the bills, 472; Democrats against the bills, 810, while only 2 Republicans voted against them. The Republican members of Congress have shown their friendship for the soldiers by their votes on private bills as well as on public measures.

The action of Republican Presidents in signing pension measures is evidence of their friendship. I can not say as much for the only Democratic President we have had since the war. The record is as follows and tells its own story:

Pension bills vetoed by the martyred Lincoln, none; by Johnson, none; by Grant, the greatest soldier the world has ever known, none; by Hayes, none; by Garfield, none; by Arthur, none; by Cleveland (eight years), 550; by Harrison, none; and by McKinley, none.

The pension laws enacted to 1893 were satisfactory to the old soldiers. Up to that time there was but little complaint against the law or the management of the Pension Bureau. The act of 1890 had been liberally construed, and thousands of claims were allowed under it. The soldiers only ask fair treatment at the hands of the Pension Bureau. They ask, as they had and have a right to, that the pension laws be liberally construed, and they and their friends think that if the laws were so liberally construed there would be no trouble.

A few weeks ago I gave a review of the management of the Pension Bureau since 1893, and I will not go over the ground again. I simply repeat what I said then, that the charges of fraud made against the old soldiers were untrue, and that the management of the Pension Bureau since 1893 had been unfair to the old soldiers, and that they were not now receiving and had not received fair treatment.

Anyone who will take the trouble to read orders 164 and 225 and the rules adopted to carry them out will have no difficulty in locating the trouble. The Pension Office force in passing on claims under the act of 1890 worked under order 164 from 1890 to 1893. The following is order 164:

Order No. 164.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., October 15, 1890.

In regard to fixing rates of pensions under the act of June 27, 1890:  
That all claimants under the act of June 27, 1890, showing a mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, and which incapacitate them from the performance of manual labor, rendering them unable to earn a support in such a degree as would be rated under former laws at or above \$6 and less than \$12, shall be rated the same as like disabilities of service origin, and that all cases showing a pensionable disability which, if of service origin, would be rated at or above \$12 per month shall be rated at \$12 per month.

GREEN B. RAUM, *Commissioner*.

Approved:

CYRUS BUSSEY *Assistant Secretary*.

In 1893 a strict constructionist of the worst kind was put at the head of the Pension Bureau, and an illiberal, unjust, and unfair policy has since been pursued. In June, 1893, the following order, known as 225, was adopted:

Order No. 225.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., June 9, 1893.

As to adjudicating and fixing rates of pensions under the act of June 27, 1890:

1. A claim for pension under the second section of the act of June 27, 1890, can only be allowed upon proof of mental or physical disability of a permanent character, not the result of the claimant's own vicious habits, incapacitating him for the performance of manual labor in such a degree as to render him unable to earn a support.

2. No specific injury or disability can, as such, have a pensionable rating

under that act, nor be considered otherwise than as it affects the capacity of the claimant to perform ordinary manual labor.

3. Proof that the disability is not the result of the claimant's own vicious habits is requisite; and therefore the causes and circumstances of the origin of the disability should be shown by the evidence furnished in support of the claim for pension, so far as can be done, and by persons other than the claimant.

4. To give the claimant a pensionable status under this act the disability must be such as to incapacitate him for the performance of manual labor in such a degree as to render him unable to earn a support; yet the act recognizes differences in the degree of such pensionable disability, giving \$12 per month in case of the greatest and \$6 per month in case of the lowest degree of such pensionable disability rendering the claimant unable to earn a support by manual labor. It also provides for intermediate ratings proportioned to the intermediate degrees of such pensionable disability. The proper ratings under this act will, therefore, be made in accordance with such rules for rating as the medical referee shall prescribe, subject to the approval of the Commissioner.

WM. LOCHREN, *Commissioner*.

Approved:

HOKE SMITH, *Secretary*.

It is not this order alone which is causing the trouble, but it and the rules adopted to carry it out are unjust and unreasonable.

The following is the rule, and I hope the members of this House will give their careful consideration:

[Circular.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS, MEDICAL DIVISION,  
Washington, D. C., June 12, 1893.

In the matter of rating cases under the act of June 27, 1890, the following directions will serve as landmarks only, and will be subject to such variations as the particular case may require:

The ratings will be \$12, \$10, \$8, and \$6.

The rating of \$12 will be allowed only in the following class of cases:

1. In cases where the claimant is clearly disabled from performing any effective manual labor.

2. In loss of either hand or arm.

3. In loss of either leg or foot.

4. In total deafness of both ears.

The minimum rate shall be allowed for a disability equivalent to anchylosis of elbow joint, double inguinal hernia uncomplicated, and double inguinal hernia, one incomplete.

The ratings between \$12 and \$6 will be given in proportion as the claimant is disabled from earning a support by manual labor.

If there are two or more disabilities each demanding a rate of \$6, the rating of \$8 only shall be allowed; and if there are two or more disabilities each demanding a rate of \$8, the rating of \$10 shall be allowed; but two or more disabilities, each demanding a rating below \$6, shall not be added to make a minimum rating, and such cases shall be rejected.

All specific ratings as published in the book of instructions have no application in adjudicating claims under this act.

THOS. FEATHERSTONHAUGH,

*Medical Referee*.

Approved:

WILLIAM LOCHREN,

*Commissioner*.

We have been told that the President must know of the order and approve it; but the gentlemen who are defending the technical rules of the Bureau forget to tell you that the "ratings under the act are to be made in the language of order 225, in accordance with such rules for rating as the medical referee shall prescribe, subject to the approval of the Commissioner." So you see the Commissioner and the medical referee are the gentlemen who fix the rules, and as the present Commissioner has not changed the rules of Hoke Smith and William Lochren, I hope a bill will be passed so that those in charge of the Pension Bureau will be compelled to change the rules.

The reading of the rules adopted by the medical referee as a guide for the carrying out of order 225 will convince any man of the unfriendly feeling that then existed in the Bureau against the old soldiers of the country. Did you ever suppose that such a rule or circular would be adopted by the officers of this great, rich, and opulent country in its administering the pension laws passed in the interest of the men who saved the country? Why, under that rule a man might be suffering from 25 separate and distinct disabilities, and be rated \$4 per month on each one, and yet not receive a pension of over \$6 per month. Did you ever hear of such a rule of addition? One six and forty fours make only eight under it! The truth is, that rule expressed the feeling of the Department against the soldiers; but there was such a storm of protest against it that the Commissioner, by order No. 241, September 2, 1893, withdrew the circular of June 12, 1893. The following is a copy of order 241:

Order No. 241.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., September 2, 1893.

The circular of June 12, 1893, in respect to rating cases under the act of June 27, 1890, is withdrawn.

Hereafter in affixing rates under this act the medical referee or the medical officer in the board of revision shall weigh each disability and determine the degree that each disability or the combined disabilities disable the claimant from earning a support by manual labor, and a rate corresponding to this degree shall be allowed.

In cases in which the pensioner has reached the age of 75, his rate shall not be disturbed if he is receiving the maximum, and if he is not a pensioner, he shall receive the maximum for senility alone, if there are no special pensionable disabilities shown.

WM. LOCHREN, *Commissioner*.

You will notice that while the order pretends to withdraw the circular, yet it left the question of rating in the hands of the medical referee, the very man who issued the circular of June 12, 1893;



and while it was claimed that the circular was withdrawn, yet no person who has examined the papers will doubt for a minute that the same unfair policy was followed in the adjudication of pension claims. The order 225, the circular or rule of June 12, 1893, and the order of September 2, 1893, will explain why so many claims were rejected on medical grounds in 1893, 1894, 1895, 1896, 1897, 1898, and 1899.

I know it is claimed that the decision of Assistant Secretary Bussey in the case of Henry H. Weihe, January 7, 1893, during the Harrison Administration, is responsible for the action of the Pension Bureau in changing the rules in regard to the rating of claimants for pensions and prevents the combining of disabilities; but I submit a careful reading of the Bussey decision will not justify any such conclusion. The following language is used by Assistant Secretary Bussey:

In determining whether an applicant is entitled to a rate under said act for the character of disability aforementioned, the only question is, Is he, from the cause or causes involved—be they one or many—disabled for the performance of manual labor to the extent represented by the fractional rate of six-eighths? If so, he is entitled to the minimum rate of \$6; and so on until the maximum rate of \$12 is reached.

I submit, this decision justifies, in fact requires, the combining of disabilities, and under it the claimant should be given the benefit of the ratings of the local boards.

I propose, if it is proper, to move that this bill be recommitted with instructions to the committee to report back at once a bill which will leave no doubt on the various questions. I think the bill should define manual labor; it should provide in no uncertain terms that the claimants should be given the benefit of the ratings of the local boards and compel the combining of all disabilities; it should give the claimants the benefit of all doubts in questions in their claims; it should give the widow \$12 per month. I also think the law should provide that where a soldier remarries after June 27, 1890, and dies, leaving a widow by his last marriage and minor children by a former marriage, said minor children, in case the widow is not given a pension, should be entitled to a pension until they attain the age of 16 years.

By reason of the technical requirements since 1893 many a deserving soldier and soldier's widow has been deprived of his or her pension. Soldiers with a number of disabilities have not been given the benefit of the ratings of the local boards. The Lochren policy in this regard was unjust and unfair, and Mr. Evans admits that he has not changed it, and, as they claim, the law is at fault. I am for any bill which will remove that flimsy excuse. If this bill will do what the committee claims for it, I am for it, because it will compel the combining of disabilities and give the soldiers the benefits of the ratings of the local boards. I am for this bill because it will take away all the excuses that exist for a technical construction of the pension laws. I am for this bill because the committee of the Grand Army of the Republic say they desire its enactment.

It is true that this great, rich Government is expending \$140,000,000 a year in and through the Pension Bureau; but what if it is? In dealing with the soldiers what right have we to sit down and figure the cost of every pension? When the country was in danger the soldiers did not stop to count the cost to themselves and their families. They knew their country was in danger of dismemberment, they knew it needed their services, and they went to the front like brave men and gave the world a sample of warfare the like of which had never been witnessed.

Mr. Speaker, in 1893 the liberal pension policy of the Republican party was reversed, and since then great injustice has been done the brave men who preserved the Union. It is claimed this bill will restore that liberal policy. I hope it will. I would like to see it amended so there would and could be no doubt; but if it can not be made stronger, I hope it will pass without a dissenting vote. [Applause.]

Mr. GRAFF. I yield two minutes to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Speaker, I shall vote for this bill because it is the best measure obtainable at present under the rules of the House. I am in thorough sympathy with the gentleman from Kansas [Mr. CURTIS] in believing that this bill ought to be amended. As a soldier, who served three years in the ranks, I say to gentlemen of this House that the time has come when there must be more liberal legislation in regard to pensions. This bill measurably meets that demand. But, as was suggested by the gentleman from New York [Mr. DRIGGS] and the gentleman from Kansas [Mr. CURTIS], the difficulty lies not in the law so much as in the administration of the law.

In view of the aspersions cast upon the local examining boards by the medical referee, and to which allusions have been made, it becomes a matter of interest to know by whom the examinations and ratings of these local boards are reviewed. The referee of the medical division, where all rates are finally determined, in his report to the Commissioner says:

No material change has been made in general organization or the practice of this division since I had the honor to submit my report at the end of the

last fiscal year. The policy indicated by you when you placed me in charge of this division, that "we will be liberal within the law," has obtained so far as it was permissible under the laws as they exist and the established practice of the Bureau. The benefit of any doubt has been resolved in favor of the claimant.

He then says:

The clerical and professional force of the division has kept the work current, but in order to do this I had to secure, by detail from the adjudicating division of the office, the services of clerks who are doctors of medicine, and who, as acting medical examiners, have added to the working capacity of the division.

These clerks have been carefully selected as far as possible, but have been placed upon intricate duties that medical examiners must perform without any examination into their professional qualifications, and with little, if any, practical experience in their profession.

Here, in my judgment, Mr. Speaker, is one of the weakest places in the present administration of the Bureau of Pensions. The Pension Commissioner says:

The surgeons comprising the local boards are supposed to contain the best skill in medicine and surgery the community has.

I go further than the Commissioner and say that in so far as my observation and experience go, extending over a period of more than thirty years, the local examining surgeons are not only "supposed to be," but as a matter of fact are, among the very best of their class in their respective communities. They are not only men of learning, experience, and standing in their profession, but are, as a rule, men of high personal character. They perform their official duties in behalf of the Government under the obligations of a solemn oath.

When the examination is made they have the applicant in person before them; if necessary, his body is stripped and every known medical and surgical device is applied to test the nature and degree of the alleged disability, and from these the required "pen picture" is drawn and the necessary ratings made and forwarded to the Commissioner, and by him sent to the medical referee, and by him, according to his own signed statement, are, in part at least, reviewed and rated by "detailed clerks" who "have been placed upon the intricate duties that medical examiners must perform without any examination into their professional qualifications and with little, if any, practical experience in their profession," and by these "detailed clerks" as medical referees the personal examination and ratings of "the best skill in medicine and surgery which the community has" are set aside.

I say this confessed practice of the Bureau of Pensions in this respect is as unwise as its results are oftentimes unjust and heartless. This bill remedies the law as to widows' claims; but I fear that in so far as it is designed to aid in the construction of the law of 1890 by making its operation more liberal toward the veterans, it will be a failure. If you will amend it so that the disabilities shall be rated "as of service origin," you will have made the intent of Congress so plain that no Commissioner of Pensions nor board of medical referees can misconstrue it. [Applause.]

Mr. GRAFF. Mr. Speaker, it is evident from the course of this debate that the committee have been wise in bringing their bill in at this time for the purpose of securing its passage. We have had an honest discussion. It has resulted in the exploiting of various theories, all good for the soldier, but not very promising in the way of being enacted into law. I prefer that we should give the soldier some substantial benefits by passing this conservative measure.

I yield the balance of my time to the chairman of the committee, the gentleman from New Hampshire [Mr. SULLOWAY.]

[Mr. SULLOWAY addressed the House. See Appendix.]

The SPEAKER. The time for debate has expired. The question is on suspending the rules and passing the bill as amended.

Mr. CURTIS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. CURTIS. I rise to ask if this is the proper time to move to recommit this bill with instructions?

The SPEAKER. That motion can not be made under a motion to suspend the rules and pass a bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill as amended was passed.

#### MARINE FISHERY INTERESTS OF THE MIDDLE AND SOUTH ATLANTIC COAST.

Mr. SMALL. Mr. Speaker, I move to suspend the rules and pass the bill S. 2366.

The SPEAKER. The gentleman from North Carolina moves to suspend the rules and pass the bill which the Clerk will read. The Clerk read as follows:

To authorize the establishment, at some point in North Carolina, of a station for the investigation of problems connected with marine fishery interests of the middle and south Atlantic coast.

Be it enacted, etc., That the Commissioner of Fish and Fisheries be, and he is hereby, authorized, empowered, and directed to establish a station for the investigation of problems connected with the marine fishery interests of the middle and south Atlantic States at some point in North Carolina.



SEC. 2. That for necessary surveys, erection of buildings and other structures, and for the proper equipment of said station, the sum of \$12,500, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

Mr. SMALL. Mr. Speaker, if any member desires any explanation of the bill, I will be glad to give it.

The SPEAKER. If no one rises in opposition to the bill, the Chair will put it to a vote.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

LILLIAN CAPRON.

Mr. LOUDENSLAGER. Mr. Speaker, I present a privileged report, and ask that the reading of the report be dispensed with, and that the statement be read.

The SPEAKER. The gentleman asks that the reading of the report be dispensed with, and that the statement be read.

Mr. ROBINSON of Indiana. I would like to have a statement of what it is.

The SPEAKER. The Clerk will report the title of the bill. The Clerk read as follows:

A bill (S. 1905) granting an increase of pension to Lillian Capron.

Mr. RICHARDSON. I understand they have a written statement.

Mr. LOUDENSLAGER. There is a written statement there. The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1905, "An act granting an increase of pension to Lillian Capron," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to an amendment as follows:

In lieu of the sum proposed insert "thirty-five."

And the House agree to the same.

H. C. LOUDENSLAGER,  
JACOB H. BROMWELL,  
S. W. DAVENPORT,  
*Managers on the part of the House.*  
J. H. GALLINGER,  
GEO. L. SHOUP,  
*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on bill (S. 1905) granting an increase of pension to Lillian Capron having met for a full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House, and agree to amendments as follows:

In lieu of the sum proposed insert "thirty-five."

H. C. LOUDENSLAGER,  
JACOB H. BROMWELL,  
*Managers on the part of the House.*

Mr. LOUDENSLAGER. I move the adoption of the conference report.

The question was taken; and the report of the committee of conference was agreed to.

AGNES K. CAPRON.

Mr. LOUDENSLAGER. Mr. Speaker, I present another privileged report, and ask that the statement be read.

The SPEAKER. The Clerk will report the title of the bill. The Clerk read as follows:

A bill (S. 1906) granting an increase of pension to Agnes K. Capron.

Mr. LOUDENSLAGER. I ask that the reading of the report be dispensed with, and that the statement be read.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey. [After a pause.] The Chair hears none.

The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1906, "An act granting an increase of pension to Agnes K. Capron," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to amendments as follows:

In lieu of the sum proposed by the House insert "thirty."

In line 9, after the word "receiving," insert "and \$3 per month additional on account of each of the minor children of said Allyn Capron until they reach the age of 16 years."

And the House agree to the same.

H. C. LOUDENSLAGER,  
JACOB H. BROMWELL,  
S. W. DAVENPORT,  
*Managers on the part of the House.*  
J. H. GALLINGER,  
GEO. L. SHOUP,  
*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the bill (S. 1906) granting an increase of pension to Agnes K. Capron, having met for a full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to amendments as follows:

In lieu of the sum proposed by the House insert "thirty."

In line 9, after the word "receiving," insert "and \$2 per month additional

on account of each of the minor children of said Allyn Capron until they reach the age of 16 years."

And the House agree to the same.

H. C. LOUDENSLAGER,  
JACOB H. BROMWELL,  
*Managers on the part of the House.*

Mr. LOUDENSLAGER. I move the adoption of the report.

The question was taken; and the report of the committee of conference was agreed to.

ALLOWANCE FOR INTERNAL-REVENUE STAMPS.

Mr. GROSVENOR. Mr. Speaker, I call up a privileged report. The Clerk read as follows:

A bill (S. 2559) authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps.

*Be it enacted, etc.,* That the Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, may, upon receipt of satisfactory evidence of the facts, make allowance for or redeem such of the stamps, issued under authority of law, to denote the payment of any internal-revenue tax, as may have been spoiled, destroyed, or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which through mistake may have been improperly or unnecessarily used, or where the rates or duties represented thereby have been excessive in amount, paid in error, or in any manner wrongfully collected. Such allowance or redemption may be made either by giving other stamps in lieu of the stamps so allowed for or redeemed, or by refunding the amount or value to the owner thereof, deducting therefrom, in case of repayment, the percentage, if any, allowed to the purchaser thereof; but no allowance or redemption shall be made in any case until the stamps so spoiled or rendered useless shall have been returned to the Commissioner of Internal Revenue, or until satisfactory proof has been made showing the reason why the same can not be returned; or, if so required by the said Commissioner, when the person presenting the same can not satisfactorily trace the history of said stamps from their issuance to the presentation of his claim as aforesaid: *Provided*, That documentary and proprietary stamps issued under the provisions of "An act to provide ways and means for war expenditures, and for other purposes," approved June 13, 1898, may be redeemed only when presented in quantities of \$2 or more, face value: *Provided further*, That no claim for the redemption of or allowance for stamps shall be allowed unless presented within two years after the purchase of said stamps from the Government.

SEC. 2. That the finding of facts in and the decision of the Commissioner of Internal Revenue upon the merits of any claim presented under or authorized by this act shall, in the absence of fraud or mistake in mathematical calculation, be final and not subject to revision by any accounting officer.

SEC. 3. That all laws and parts of laws in conflict with any of the provisions of this act are hereby repealed.

Mr. LIVINGSTON. Mr. Speaker, I desire to bring to the attention of the gentleman who has charge of that bill the language of the bill—"improper" and "unnecessary." That is very broad, and then the closing paragraph of the bill leaves this matter to the judgment of the Commissioner without any appeal.

Mr. GROSVENOR. That is the particular object of the bill.

Mr. LIVINGSTON. Then what does the word "unnecessary" mean?

Mr. GROSVENOR. It means in that particular connection if a ten-dollar stamp has been used where only a dollar stamp ought to be put on the instrument or document, the Department is authorized to make the exchange. This is a Senate bill; it has the unanimous indorsement of the Finance Committee of the Senate and the Ways and Means Committee of the House, and the support of the Treasury Department.

Mr. LIVINGSTON. I would suggest to the gentleman that it is not usual for Congress to correct the mistakes of business men in this way.

Mr. GROSVENOR. The main purpose of this bill, if the gentleman from Georgia will allow me, is to permit the Commissioner of Internal Revenue to do just what he has done under all Administrations up to now, and being done constantly until it was finally decided by somebody—not by any court, because it appears the courts have upheld his action; but the Comptroller of the Treasury has made a decision, it appears, that the Treasury has no power in the matter; so that the stamps stuck together and absolutely valueless were brought back by the collector who had paid his money for them, and he can not have it refunded. There seems to be no remedy for him and no way to get his money back on his stamps.

Mr. LIVINGSTON. I agree on the merits of the case, and perhaps the committee that considered the case thought it ought to be done.

Mr. GROSVENOR. That was considered in the committee. The committee, after careful consideration of the whole bill, thought it was absolutely safe, and I assure the gentleman there is nothing wrong about the bill.

Mr. MOODY of Massachusetts. I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield to the gentleman from Massachusetts?

Mr. GROSVENOR. Certainly.

Mr. MOODY of Massachusetts. Very many hearings have been had by the Committee on Ways and Means in reference to the repeal of the whole or some part of Schedules A and B of the war-revenue act. I would like to ask the gentleman if there is any hope of any action in that direction?

Mr. GROSVENOR. Well, it is a very interesting question, and one that one member of the Ways and Means Committee can not



properly answer. I might say this, that there is a general feeling in the Committee on Ways and Means that relief in this connection ought to be given, and that it will be given; but whether it is to be within a short time or a longer time no man can now say; but there is a uniform opinion in the committee that as to a large number—not all, perhaps—of these stamps covered by Schedule B there should be complete relief afforded by action of Congress.

Mr. MOODY of Massachusetts. I trust some time before the adjournment of the present session.

Mr. GROSVENOR. We all have individual hopes not always carried out in collective action. [Laughter.]

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time; and it was read the third time, and passed.

#### REPAIR OF ROAD TO NATIONAL CEMETERY, NEWBERN, N. C.

Mr. THOMAS of North Carolina. Mr. Speaker, I move to suspend the rules and put upon its passage Senate bill 2499, to authorize needed repairs of the graveled or macadamized road from the city of Newbern, N. C., to the national cemetery near said city.

The Clerk read the bill, as follows:

An act to authorize needed repairs of the graveled or macadamized road from the city of Newbern, N. C., to the national cemetery near said city.

Whereas by an act of Congress, chapter 501, United States Statutes at Large, Fiftieth Congress, the sum of \$30,000 was appropriated for the construction of a graveled or macadamized road from the city of Newbern, N. C., to the national cemetery near said city; and

Whereas the said sum of money was expended by the United States in the construction of said road; and

Whereas the said road is in great need of repairs in order to keep up and preserve the same, and such repairs are absolutely necessary for the said purpose: Therefore,

*Be it enacted, etc.,* That the sum of \$6,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for much-needed repairs and improvements of the graveled or macadamized road leading from the city of Newbern, N. C., to the national cemetery near said city, the said sum of money to be expended under the direction of the Secretary of War of the United States: *Provided*, That no more of the said appropriation shall be expended than is necessary to put said road in as good condition as when originally constructed for the United States.

Mr. MOODY of Massachusetts. Mr. Speaker, I ask a second upon that.

Mr. THOMAS of North Carolina. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that a second be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. THOMAS of North Carolina. Mr. Speaker, this bill has not only passed the Senate at this session of Congress with the approval of both Senators from my State, but it also has the unqualified recommendation of the War Department. It was also reported favorably at the last session of Congress to the Senate, and the report of the War Department recommended last session and at this session not only that the sum of \$5,000 for these much-needed repairs should be made, but that the appropriation should be increased to \$6,000.

The Committee on Military Affairs, to whom this bill was referred, reported, through the gentleman from Tennessee [Mr. BROWNLOW], that the Senate bill should be passed and that the appropriation should be increased from five thousand to six thousand dollars, as recommended by the War Department.

Mr. Speaker, this road is going to wreck and ruin, as the report shows. I believe it is the duty of Congress to make an appropriation for its maintenance. There are 3,330 Union soldiers buried there. It is a road of about one mile and a half in extent, a road upon which the Government spent \$20,000 twelve or thirteen years ago, the appropriation having been made about 1888. I ask you gentlemen of the House to pass this bill because it is necessary to preserve the Government property. I ask it because it is asked for by all parties, by all citizens of my town irrespective of party, Republicans and Democrats. It is a matter of necessity, and I plead with you gentlemen of the House to pass this bill as it has passed the Senate, and let us have these much-needed improvements.

Mr. MOODY of Massachusetts. Will the gentleman submit to a question?

Mr. THOMAS of North Carolina. Certainly.

Mr. MOODY of Massachusetts. This is a road leading to a national cemetery?

Mr. THOMAS of North Carolina. To a national cemetery, yes; and the bill has passed the Senate.

Mr. MOODY of Massachusetts. That does not mean anything, that it has passed the Senate. All bills proposing to spend money pass the Senate ex officio. [Laughter.] But I want to know something more about it. Is the road a Government road or a State road?

Mr. THOMAS of North Carolina. It is a Government road, built by appropriation by Congress in 1888.

Mr. MOODY of Massachusetts. And has since been maintained by the Government?

Mr. THOMAS of North Carolina. Since been maintained by the Government.

Mr. MOODY of Massachusetts. And it is in need of repairs?

Mr. THOMAS of North Carolina. Badly in need of repair.

Mr. MOODY of Massachusetts. And this bill has been reported by the proper committee?

Mr. THOMAS of North Carolina. Yes; by the proper committee—the Committee on Military Affairs.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the judgment of the Chair, two-thirds having voted in favor thereof, the bill was passed.

#### LIGHT-HOUSE AND FOG SIGNAL, STATE OF WASHINGTON.

Mr. CUSHMAN. Mr. Speaker, I ask unanimous consent for the present consideration of House bill 9635, to establish a light-house and fog signal in the State of Washington.

The Clerk read the bill, as follows:

A bill to establish light-house and fog signal in State of Washington.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a light-house and fog signal be established and constructed at Slip Point, Clallam Bay, State of Washington; said light-house not to exceed the cost of \$12,500.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. CUSHMAN, a motion to reconsider the last vote was laid on the table.

#### CHOCTAW ORPHAN INDIAN LANDS.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9083) to authorize the Commissioner of General Land Office to dispose of Choctaw orphan Indian lands in Mississippi, and to make appropriation for executing act of Congress approved June 28, 1898.

The Clerk read the bill, as follows:

Whereas it was provided by act of Congress approved June 28, 1898 (30 United States Statutes, 495), that "the Choctaw orphan Indian lands in the State of Mississippi yet unsold shall be taken by the United States Government at \$1.25 per acre and the proceeds placed to the credit of the Choctaw orphan fund in the Treasury of the United States, the number of acres to be determined by the General Land Office;" and

Whereas the General Land Office has, since the passage of the said act, determined and reported the number of acres of said Choctaw orphan lands in the State of Mississippi; and

Whereas Congress has made no appropriation to cover the directions made in the act of June 28, 1898; and

Whereas Congress has provided no method whereby the Government of the United States may dispose of said lands; and

Whereas the Commissioner of Indian Affairs, in a communication dated October 18, 1899, and directed to the Secretary of the Interior, has recommended that Congress be asked to appropriate the sum of \$2,696.40 for the purpose of carrying out the provisions of the act of June 28, 1898, and that Congress be further asked to authorize the disposal of said lands by the Commissioner of the General Land Office as other public lands are disposed of: Therefore,

*Be it enacted, etc.,* That the sum of \$2,696.40 is hereby appropriated out of any money in the Treasury not otherwise appropriated, the said sum to be placed to the credit of the Choctaw orphan fund in the Treasury of the United States in payment for all Choctaw lands yet unsold in the State of Mississippi.

SEC. 2. That the Commissioner of the General Land Office is hereby authorized and directed to dispose of the said Choctaw orphan lands in the State of Mississippi as other public lands are disposed of.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. WILLIAMS of Mississippi, a motion to reconsider the last vote was laid on the table.

#### DAM ACROSS ST. JOSEPH RIVER.

Mr. HAMILTON. I move to suspend the rules and pass the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 10866) permitting the building of a dam across the St. Joseph River near the village of Berrien Springs, Berrien County, Mich.

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Oronoko Water Power Company, a corporation organized under the laws of the State of Michigan, its successors or assigns, to construct, erect, and maintain a dam across the St. Joseph River, in Berrien County, in the State of Michigan, at any point within 2 miles south of the highway bridge at Berrien Springs, and all works necessarily incident thereto: *Provided*, That the said Oronoko Water Power Company, its successors or assigns, shall make such change and modification in the works as the Secretary of War may from time to time deem necessary in the interest of navigation, at its own cost and expense: *Provided further*, That in case any litigation arises from the building of said dam, the maintaining of the same, or from the obstruction of the said river by the said dam or appurtenant works, cases may be tried in the proper courts as now provided for that purpose in the State of Michigan and the courts of the United States.

SEC. 2. That the right to amend, alter, or repeal this act is hereby expressly reserved: *And provided further*, That suitable fishways shall be constructed and maintained at said dam by said company, its successors and assigns, as may be required from time to time by the United States Fish Commissioner.

SEC. 3. That this act shall be null and void unless the dam herein authorized shall be completed within five years of the date hereof: *And provided further*, That such dam shall be constructed in such manner as not to injure or diminish the water power of any person or company having a dam or hydraulic works constructed: *And provided further*, That before the construction of said dam compensation shall be made to any person or company



whose lands may be taken or overflowed in the construction or maintenance of such dam in accordance with the laws of the State of Michigan.

Mr. RICHARDSON. I demand a second on the motion to suspend the rules.

Mr. HAMILTON. I ask unanimous consent that a second may be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Michigan [Mr. HAMILTON] is recognized.

Mr. BURTON. The gentleman will allow me to ask whether this dam is to be located upon any portion of the St. Joseph River where there is any navigation?

Mr. HAMILTON. No, sir; there are already five dams across the river at various points, but above the location of this proposed dam. A portion of this river passing through Michigan and Indiana is theoretically navigable, but not so in fact. This dam is proposed to be constructed on such part of this river.

Mr. BURTON. What is the distance from the mouth of the river to this dam?

Mr. HAMILTON. I think it is perhaps 25 miles by the windings of the river; but I do not know the exact distance.

Mr. BURTON. I understand that the Government has never taken charge of this portion of the river.

Mr. HAMILTON. It has not where it is proposed to build this dam.

Mr. BURTON. Has the bill been approved by the War Department?

Mr. HAMILTON. It was submitted to the War Department, and by it submitted to the Corps of Engineers, and the War Department has reported that there is no objection to the passage of the bill.

The question being taken on the motion to suspend the rules and pass the bill, it was agreed to, two-thirds voting in favor thereof.

#### WATER SUPPLY FOR FLAGSTAFF, ARIZ.

Mr. WILSON of Arizona. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 2016) to grant right of way over Government lands for a pipe line for the conveyance of water to Flagstaff, Ariz.

*Be it enacted, etc.*, That a right of way for a pipe line through sections 26, 26, township 23 north; sections 2, 12, 14, 22, and 28, township 23 north, and sections 4 and 16, township 21 north, all in range 7 east, Gila and Salt River meridian, in the San Francisco Forest Reserve, in the county of Coconino and Territory of Arizona, is hereby granted to the town of Flagstaff, a municipal corporation in said county and Territory, to the extent of the ground occupied by said pipe line and 25 feet on each side of the center line of the same.

Also the right to take from the lands adjacent to the lands hereby granted material, earth, stone, and timber necessary for the construction, maintenance, repair, and control of said pipe line.

SEC. 2. That said pipe line when constructed shall be maintained and controlled exclusively for the use and benefit of the said town of Flagstaff by the municipal authorities thereof, and for the purpose only of conveying water through said pipe line to said town for its exclusive use and benefit.

SEC. 3. That this act shall take effect and be in force from and after its passage.

Mr. LACEY. I would like the gentleman from Arizona to make a brief explanation of this bill.

Mr. WILSON of Arizona. The object of the bill, as appears on its face, is the conveyance of water from the mountains down to the city of Flagstaff, where there is not sufficient water to afford proper security against fires, or anything of that sort. The town has been burned about three times—twice for lack of a sufficient water supply, which it is proposed now to furnish by means of this pipe line. In order that the water may be conveyed to the town it is necessary that the pipe line be carried across the townships named in the bill—three sections included in the forest reserve. The object is to lay this pipe line through those particular sections, extending the water from the springs in the mountains down to the city to fill a reservoir, thus making the town secure from fire.

Mr. ROBINSON of Indiana. This bill grants the right of way? Mr. WILSON of Arizona. Yes, sir; the right of way is what we desire; that is all.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. ROBINSON of Indiana, a motion to reconsider the last vote was laid on the table.

#### PROCEEDS OF LEASES BY SENECA INDIANS.

Mr. RYAN of New York. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 4718) to regulate the collection and disbursement of moneys arising from leases made by the Seneca Nation of New York Indians, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That all moneys which shall belong

to the Seneca Nation of New York Indians arising from rents under the provisions of the act of Congress entitled "An act to authorize the Seneca Nation of New York Indians to lease lands within the Cattaraugus and Allegany reservations, and to confirm existing leases," approved February 19, 1875, and September 30, 1890, respectively, together with all moneys which shall belong to said Seneca Nation arising from the lease of the oil springs, the Cattaraugus and Allegany reservations for the purpose of boring and testing said territory for gas and oil, as ratified and confirmed by an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1898, and for other purposes," approved the 7th day of June, 1897, also included any gas or oil well located upon the lands belonging to said Seneca Nation, shall be paid to and recoverable by the United States Indian agent for the New York Indian Agency for and in the name of said Seneca Nation.

SEC. 2. That from the moneys so received from said leases the said agent shall annually, on the first Wednesday after the first Tuesday in June, pay over to the treasurer of the Seneca Nation the sum of \$1,500 for the disposal by its council, and shall distribute the balance of said moneys, after deducting as hereinafter provided, among the heads of families of the Seneca Nation in like manner and under the same conditions that the annuities paid to the said nation by the United States are distributed.

SEC. 3. That the said agent shall give bond to the United States in such sum as may be approved by the Secretary of the Interior, and he shall make an annual report to the Commissioner of Indian Affairs of the receipt and disbursement of all moneys arising from said leases, and he shall receive annually, as additional compensation, the sum of 5 per cent of total sum so received and disbursed by him.

SEC. 4. That the treasurer of the Seneca Nation shall annually, on the last Tuesday in April, make a written report to the United States Indian agent of the New York Indian Agency of all moneys received and disbursed by him as treasurer of said Seneca Nation.

SEC. 5. That all acts or parts of acts inconsistent with this act are hereby repealed.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were read and agreed to, and the bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. RYAN of New York, a motion to reconsider the last vote was laid on the table.

THOMAS ROSERUGH.

Mr. DE ARMOND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 557) for the relief of Thomas Rosbrugh.

The bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. I should like to have an explanation of it.

The SPEAKER. Will the gentleman from Missouri send up the original Senate bill? The Chair is advised that the Clerk is not able to find it, and its presence at the desk is essential to its consideration by the House.

Mr. DE ARMOND. If the Clerk will send to the Committee on Private Land Claims, while I make a brief explanation, with the indulgence of the House, the bill can be obtained.

The SPEAKER. If the gentleman will withhold it for a moment the bill will probably be found. In the meantime the Chair will lay before the House certain bills, which the Clerk will report.

NANCY E. NEELY.

The SPEAKER laid before the House the bill (S. 517) granting a pension to Nancy E. Neely, with a House amendment thereto, disagreed to by the Senate, and a conference requested.

On motion of Mr. LOUDENSLAGER, the House insisted on its amendment and agreed to the conference requested by the Senate; and the Speaker appointed as conferees on the part of the House Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT.

ROBERT C. ROGERS.

The SPEAKER also laid before the House the bill (S. 1489) granting an increase of pension to Robert C. Rogers, with a House amendment thereto, disagreed to by the Senate, and a conference requested.

On motion of Mr. LOUDENSLAGER, the House insisted on its amendment and agreed to the conference; and the Speaker announced as conferees on the part of the House Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT.

MARGARET E. VAN HORN.

The SPEAKER also laid before the House the bill (S. 207) granting an increase of pension to Margaret E. Van Horn, with a House amendment thereto, disagreed to by the Senate, and a conference asked.

On motion of Mr. LOUDENSLAGER, the House insisted on its amendment and agreed to the conference; and the Speaker announced as conferees on the part of the House Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT.

KATHARINE TAYLOR DODGE.

The SPEAKER also laid before the House the bill (S. 2650) granting an increase of pension to Katherine Taylor Dodge, with



House amendments thereto, disagreed to by the Senate, and a conference asked.

On motion of Mr. LOUDENSLAGER, the House insisted on its amendments and agreed to the conference; and the Speaker announced as conferees on the part of the House Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT.

RHODA A. PATMAN.

The SPEAKER also laid before the House the bill (H. R. 7023) granting a pension to Rhoda A. Patman, with a Senate amendment thereto.

On motion of Mr. LOUDENSLAGER, the House concurred in the Senate amendment.

J. J. ANGEL.

The SPEAKER also laid before the House the bill (H. R. 1381) granting an increase of pension to J. J. Angel, with Senate amendments thereto.

On motion of Mr. LOUDENSLAGER, the House concurred in the Senate amendments.

FLORA B. HINDS.

The SPEAKER also laid before the House the bill (H. R. 4363) granting a pension to Flora B. Hinds, with a Senate amendment thereto.

On motion of Mr. LOUDENSLAGER, the House concurred in the Senate amendment.

SOPHRONIA SEELY.

The SPEAKER also laid before the House the bill (H. R. 8405) granting a pension to Sophronia Seely, with a Senate amendment thereto.

On motion of Mr. SULLOWAY, the Senate amendment was concurred in.

JOHN R. EGGEMAN.

The SPEAKER also laid before the House the bill (H. R. 4276) granting an increase of pension to John R. Eggeman, with a Senate amendment thereto.

On motion of Mr. SULLOWAY, the Senate amendment was concurred in.

MARGARETT L. COLEMAN.

The SPEAKER also laid before the House the bill (H. R. 4090) granting an increase of pension to Margaret L. Coleman, with Senate amendments thereto.

On motion of Mr. SULLOWAY, the Senate amendments were concurred in.

CORA I. CROMWELL.

The SPEAKER also laid before the House the bill (H. R. 1737) granting a pension to Cora I. Cromwell, with a Senate amendment thereto.

On motion of Mr. SULLOWAY, the Senate amendment was concurred in.

BERTHA M. JORDAN.

The SPEAKER also laid before the House the bill (H. R. 8079) granting a pension to Bertha M. Jordan, with a Senate amendment thereto.

On motion of Mr. SULLOWAY, the Senate amendment was concurred in.

HENRY H. NEFF.

The SPEAKER also laid before the House the bill (H. R. 6784) granting an increase of pension to Henry H. Neff, with a Senate amendment thereto.

On motion of Mr. SULLOWAY, the Senate amendment was concurred in.

#### REPRINT OF REPORT IN PEARSON VS. CRAWFORD.

Mr. ROBERTS. I ask unanimous consent for a reprint of the majority report in the contested-election case of Pearson and Crawford.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for reprint of the report in the case of Pearson vs. Crawford. Without objection, the order will be made.

There was no objection.

The SPEAKER. The Chair is advised that that order was made on Saturday.

Mr. ROBERTS. I was informed that the order of Saturday simply called for a reprint of the views of the minority.

The SPEAKER. The order included both; so, without objection, the order just made will be rescinded.

There was no objection.

#### RECALL OF BILL FROM THE PRESIDENT.

The SPEAKER laid before the House the following Senate concurrent resolution; which was read, considered, and agreed to:

[Senate concurrent resolution 54. In the Senate of the United States. May 7, 1900.]

*Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate the bill of the Senate No. 2332, granting an increase of pension to Margaret H. Kent.*

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. HOFFECKER, for two days, on account of important business.

To Mr. LACEY, for one week, on account of important business.

#### RURAL FREE DELIVERY IN MARYLAND.

Mr. BAKER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk. The Clerk read as follows:

*Resolved. That the Postmaster-General be, and he hereby is, requested to submit to this House a copy of the report on the experiment of rural free delivery in Carroll County, Md.*

The SPEAKER. Is there objection?

Mr. LOUD. Mr. Speaker, what is the object of it, I would like to ask the gentleman?

The SPEAKER. The gentleman from California desires an explanation of the object of the resolution of the gentleman from Maryland.

Mr. BAKER. As most members of the House are probably aware, the experiment of rural free delivery has been extended over an entire county in my district, and the Post-Office Department have published their views in regard to it, and they want to get it in document form before the House. They asked me to submit this resolution.

The SPEAKER. Is there objection?

Mr. LOUD. There are a great number of them in print, and I can not understand why they want to get it officially before the House at this time.

Mr. BAKER. They asked me to submit this resolution.

The SPEAKER. The Chair hears no objection.

The question was taken; and the resolution was agreed to.

#### FELIX M'CLOSKEY.

Mr. DINSMORE. Mr. Speaker, I submit a privileged report from the Committee on Accounts, accompanying House resolution 162, and ask that it be passed.

The Clerk read as follows:

#### House resolution 162.

*Resolved. That Felix McCloskey, of New York, be appointed as special messenger to serve in and about the House, under the direction of the Doorkeeper, at a salary of \$1,200 per annum, to be paid out of the contingent fund until otherwise provided for.*

Mr. DINSMORE. I ask for the adoption of the resolution, Mr. Speaker.

The question was taken; and the resolution was agreed to.

On motion of Mr. DINSMORE, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The Chair desires to state to the gentleman from Missouri that the clerks have not been able to find the bill which he called up, owing to one of the committee rooms of the House being closed.

Mr. PAYNE. I understand it has not been reported this Congress.

The motion to adjourn was then agreed to; and accordingly (at 4 o'clock and 17 minutes p. m.) the House adjourned.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Biscayne Bay, Florida—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate for allowance for clerks at consulates—to the Committee on Appropriations, and ordered to be printed.



## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DE VRIES, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11354) to provide for the examination and classification of certain lands in the State of California, reported the same in lieu of H. R. 74, accompanied by a report (No. 1223); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11359) to authorize the Chickasaw freedmen in the Chickasaw Nation to bring suit in the Court of Claims against the Chickasaw and Choctaw nations and the United States, and for other purposes, reported the same in lieu of H. R. 2931, accompanied by a report (No. 1224); which said bill and report were referred to the House Calendar.

Mr. SWANSON, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 10202) to constitute Durham, N. C., a port of delivery in the customs collection district of Pamlico, and to extend the privileges of the seventh section of the act of Congress approved June 10, 1880, to said port, reported the same without amendment, accompanied by a report (No. 1225); which said bill and report were referred to the House Calendar.

Mr. COOPER of Wisconsin, from the Committee on Insular Affairs, to which was referred the joint resolution of the House (H. J. Res. 247) to authorize and empower the Banco Español de Puerto Rico (Spanish Bank of Porto Rico) to amend its by-laws, reported the same with amendment, accompanied by a report (No. 1226); which said joint resolution and report were referred to the House Calendar.

Mr. UNDERWOOD, from the Committee on Ways and Means, to which was referred the joint resolution of the House (H. J. Res. 74) authorizing articles imported from foreign countries for the sole purpose of exhibition at the San Antonio International Fair and at the Texas State Fair and Dallas Exposition, to be held in the cities of San Antonio, Tex., and Dallas, Tex., to be imported free of duty, under regulations prescribed by the Secretary of the Treasury, reported the same with amendment, accompanied by a report (No. 1227); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11213) for relief of occupants of lands included in the Algodones grant in Arizona, reported the same without amendment, accompanied by a report (No. 1228); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 6757) to repeal subdivision 12 of section 2238 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 1229); which said bill and report were referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 3790) granting an increase of pension to Anna M. Collier, reported the same without amendment, accompanied by a report (No. 1230); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 480) granting an increase of pension to Juliet Gregory, reported the same without amendment, accompanied by a report (No. 1231); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1890) granting an increase of pension to Sarah E. Tradewell, reported the same with amendment, accompanied by a report (No. 1232); which said bill and report were referred to the Private Calendar.

Mr. HENRY C. SMITH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9194) granting a pension to Sarah Elvira C. Upham, reported the same with

amendment, accompanied by a report (No. 1233); which said bill and report were referred to the Private Calendar.

Mr. STANLEY W. DAVENPORT, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4571) for the relief of Helen W. Mauck, reported the same with amendment, accompanied by a report (No. 1234); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8476) for the relief of Christopher Costello, reported the same with amendment, accompanied by a report (No. 1235); which said bill and report were referred to the Private Calendar.

Mr. VREELAND, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6352) granting a pension to Lizzie B. Leitch, reported the same with amendment, accompanied by a report (No. 1236); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2708) for the relief of Cecelia B. Chauncey, reported the same with amendment, accompanied by a report (No. 1237); which said bill and report were referred to the Private Calendar.

Mr. CRAWFORD, from the Committee on Pensions, to which was referred the bill of the Senate (S. 1066) granting an increase of pension to Margaret B. Shipp, reported the same with amendment, accompanied by a report (No. 1238); which said bill and report were referred to the Private Calendar.

Mr. HENRY C. SMITH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9175) granting a pension to Stella B. Armstrong, reported the same with amendment, accompanied by a report (No. 1239); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5929) granting an increase of pension to Barton Acuff, reported the same with amendment, accompanied by a report (No. 1240); which said bill and report were referred to the Private Calendar.

Mr. BOREING, from the Committee on Pensions, to which was referred the bill of the House (H. R. 3526) granting a pension to James M. Ellett, reported the same with amendment, accompanied by a report (No. 1241); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2126) for relief of William H. Capehart, of Warren County, Tenn., reported the same with amendment, accompanied by a report (No. 1242); which said bill and report were referred to the Private Calendar.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11341) granting an increase of pension to Bridget Agnes Tridee, of Burkes Station, Fairfax County, Va., and the same was referred to the Committee on Pensions.

## PUBLIC BILLS, RESOLUTIONS AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DE VRIES, from the Committee on the Public Lands: A bill (H. R. 11354) to provide for the examination and classification of certain lands in the State of California—to the Committee of the Whole House.

By Mr. RUSSELL: A bill (H. R. 11355) providing for the construction and equipment of a steam revenue cutter for service on Long Island Sound and adjacent waters—to the Committee on Interstate and Foreign Commerce.

By Mr. ALDRICH: A bill (H. R. 11356) to authorize T. C. Bingham and R. T. Goodwyn to construct and maintain a toll and railroad bridge, or either, across the Tallapoosa River between Elmore and Montgomery counties, in Alabama—to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Washington: A bill (H. R. 11357) providing that new forest reserves shall be created and additions to existing reserves shall be made hereafter only by act of Congress—to the Committee on the Public Lands.

By Mr. MAHON: A bill (H. R. 11358) authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army—to the Committee on Military Affairs.



By Mr. CURTIS, from the Committee on Indian Affairs: A bill (H. R. 11359) to authorize the Chickasaw freedmen in the Chickasaw Nation to bring suit in the Court of Claims against the Chickasaw and Choctaw nations and the United States, and for other purposes—to the House Calendar.

By Mr. BROWNLOW: A joint resolution (H. J. Res. 249) providing for the publication of the report of the board of management of the United States Government exhibit at the Tennessee Centennial Exposition—to the Committee on Printing.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARBER: A bill (H. R. 11360) granting a pension to Truman Angell, unassigned recruit, Pennsylvania Infantry Volunteers—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 11361) granting a pension to Susan A. Miller—to the Committee on Invalid Pensions.

By Mr. DALY of New Jersey: A bill (H. R. 11362) amending the military record of Thomas Wood—to the Committee on Military Affairs.

By Mr. DENNY: A bill (H. R. 11363) for the relief of the legal representative of Cyrus Gault, deceased, late of Baltimore, Md.—to the Committee on War Claims.

By Mr. GAINES: A bill (H. R. 11364) granting a pension to Lawrence F. Kennedy—to the Committee on Invalid Pensions.

By Mr. GILL: A bill (H. R. 11365) granting a pension to Newton C. Beatty—to the Committee on Invalid Pensions.

By Mr. GLYNN: A bill (H. R. 11366) authorizing the Court of Claims to determine claims of Edward J. Dady and others as letter carriers—to the Committee on Claims.

By Mr. HOWARD: A bill (H. R. 11367) for the relief of John S. Williford—to the Committee on Claims.

By Mr. KING: A bill (H. R. 11368) granting to Salt Lake City, Utah, certain public lands, and so forth—to the Committee on the Public Lands.

By Mr. LASSITER: A bill (H. R. 11369) for the relief of Capt. William E. Anderson—to the Committee on War Claims.

By Mr. LAWRENCE: A bill (H. R. 11370) granting a pension to Fanny E. Walker—to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 11371) granting a pension to Ruth A. Parker, widow of Stephen W. Parker, late of Company F, Ninth Regiment Vermont Volunteers—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 11372) granting an increase of pension to Martha Corder—to the Committee on Pensions.

By Mr. TAWNEY: A bill (H. R. 11373) granting an increase of pension to John B. Ashton—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 11374) for the relief of Thomas Stanley—to the Committee on War Claims.

By Mr. WATERS: A bill (H. R. 11375) to correct the military record of Henry S. Hill—to the Committee on Military Affairs.

By Mr. RANDELL: A bill (H. R. 11376) for the relief of the estate of W. B. Taylor, deceased—to the Committee on War Claims.

By Mr. MOODY of Massachusetts: A bill (H. R. 11377) to remove the charge of desertion against George N. Bemis, alias Charles Blake, and to grant him an honorable discharge from each enlistment—to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Resolutions of Williamson Post, No. 109, Grand Army of the Republic, of Dodgeville, Wis., favoring certain amendments to act of June 27, 1890—to the Committee on Invalid Pensions.

By Mr. BARBER: Resolution of the State Legislative Board of Railroad Employees, favoring Senate bill 3604 and House bill 10302, requiring common carriers to report to Interstate Commerce Commission the details of all injuries to employees—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the State Legislative Board of Railroad Employees of Pennsylvania, favoring a law that will prevent the issuance of injunctions upon employees and giving to them the right of trial by jury in cases of contempt—to the Committee on the Judiciary.

By Mr. BINGHAM: Petition of Vermillion County (Ill.) Pharmaceutical Association, for the repeal of the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. BOUTELLE of Maine: Petition of S. L. Hart and others, of Norton, Me., in favor of the Grout bill increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. BOWERSOCK: Petition of J. W. Giesburg and other druggists of Kansas City, Kans., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. BRENNER: Petition of John Whitaker and others, of Camden, Ohio, for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. BULL: Petition of L. H. Godbold and other substitute letter carriers of Newport, R. I., in favor of House bill No. 1051, relating to grading of substitute letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of George H. Havens and other druggists of Providence, R. I., for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

Also, resolutions of the New England Shoes and Leather Association, in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of South Dakota: Petition of B. K. Maxfield, of Northville, S. Dak., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of A. B. Hutchinson, of Hallowell, Me., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. BURLESON: Memorial and resolutions of the faculty of the University of Texas, asking for the establishment of public free schools in the Indian Territory—to the Committee on Education.

By Mr. BUTLER: Petitions of the Woman's Christian Temperance unions of Whitford, Crozerville, Trainer, Russellville, and Honeybrook, Pa., and quarterly conference of the Methodist Episcopal Church of Chester, Pa., urging the passage of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

Also, petition of Brandywine Grange, No. 60, Patrons of Husbandry of Pennsylvania, in favor of Senate bill No. 1439, relating to an act to regulate commerce, and for State control of imitation dairy products as provided in House bill No. 3717—to the Committee on Interstate and Foreign Commerce.

Also, petition of London Grove Grange, Patrons of Husbandry, of Avondale, Pa., in favor of the bill to increase the tax on oleomargarine—to the Committee on Agriculture.

By Mr. CALDWELL: Petitions of G. E. Morton, I. R. Dillen, and others, urging the passage of House bill prohibiting the sale of liquor in the Army and in Government buildings—to the Committee on Military Affairs.

Also, petitions of W. F. Nersler, E. A. West, and other druggists of Decatur, Ill., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. CAPRON: Petition of Rhode Island Central Trades and Labor Union, in favor of the passage of House bill No. 9963, relating to American seamen—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the New England Shoe and Leather Association, in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, petition of Woonsocket Drug Alliance, for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

Also, papers to accompany House bill granting a pension to Susan A. Miller—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: Petition of the Christian Church, Free Methodist, Baptist, and Methodist Episcopal churches of Richland Center, Wis., urging the passage of the Bowersock bill preventing the sale of liquor upon premises used for military purposes—to the Committee on Military Affairs.

By Mr. CUMMINGS: Petition of War Cry Chapel of New York, protesting against the passage of the Loud bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DAHLE of Wisconsin: Petition of A. H. Hollister and others, of Madison, Wis., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. DALZELL: Resolutions of the Chamber of Commerce of New York, favoring the passage of House bill No. 10374, the modified Loud bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of National Bicycle Workers and Allied Mechanics; also resolutions of Building Trades Council and Painters and Decorators of America, against further oleomargarine legislation by Congress—to the Committee on Agriculture.

Also, resolutions of the First Presbyterian Church of Carnegie, Pa., urging the enactment of the anti-canteen bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. GASTON: Petition of citizens of Erie County, Pa., in



favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, resolutions of the American Association of China, favoring the passage of a bill for the improvement of the consular service—to the Committee on Foreign Affairs.

By Mr. GRIFFITH: Resolutions of McKeehan Post, No. 36, of North Vernon, Ind., Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. GROUT: Petition of Austin W. Bean and 23 others, of Lyndon, Vt., in favor of the passage of House bill No. 3717, known as the Grout oleomargarine bill—to the Committee on Agriculture.

Also, petition of the Woman's Christian Temperance Union of Irasburg, Vt., Helen C. Thompson, president, to prohibit the selling of liquors in any post exchange, transport, or premises used for military purposes—to the Committee on Military Affairs.

By Mr. HAY: Petition of citizens of Charlottesville, Va., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. HEMENWAY: Petition of J. W. Ladd and other citizens of Dale, Ind., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. HENRY of Connecticut: Petition of D. G. Stoughton & Co. and other retail druggists of Hartford, Conn., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. HILL: Petition of F. P. Martle, of New Hartford, Conn., relating to the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. HITT: Petition of the Chamber of Commerce of the State of New York, favoring the passage of House bill No. 10374, amending the postal law relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of Spring Grange, No. 540, Patrons of Husbandry, of Belvidere, Ill., in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. HOFFECKER: Petition of Bragdon & Co. and other druggists, of Middletown, Del., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, resolutions of the Board of Trade of Wilmington, Del., opposed to the passage of House bill No. 887, relating to the Philadelphia museums, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD: Papers to accompany House bill for the relief of John S. Williford—to the Committee on Claims.

By Mr. JOHNSTON: Petition of J. M. Correll and others, of Greenbrier County, W. Va., for State control of imitation dairy products, as provided in House bill No. 3717—to the Committee on Agriculture.

By Mr. JONES of Washington: Petitions of Sedgwick Post, No. 9, and General J. L. Reno Post, No. 47, Grand Army of the Republic, Department of Washington and Alaska, asking that Fort Sherman, Idaho, be made a National Soldiers' Home for the Veterans of the Northwest—to the Committee on Military Affairs.

By Mr. JOY: Papers to accompany House bill No. 10748, to increase the pension of Julius Sporleder, of St. Louis, Mo.—to the Committee on Invalid Pensions.

By Mr. KAHN: Petition of citizens of San Francisco, Cal., favoring the establishment of a veterinary corps in the United States Army—to the Committee on Military Affairs.

Also, petition of the Trades and Labor Council of Vallejo, Cal., against the ceding of public lands to States and Territories—to the Committee on the Public Lands.

By Mr. LANE: Petition of H. A. Dandel and other druggists, of Andrew, Iowa, relating to the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. LITTLEFIELD: Petitions of 304 farmers in Androscoggin, Cumberland, Kennebec, Franklin, and Oxford counties, Me., in favor of the Grout bill increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. LYBRAND: Petition of Wellington Mather and 17 citizens of Bahalia, Ohio, for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. McALEER: Petition of the American Chamber of Commerce of Manila, for a modification of the oppressive taxes in the Philippines—to the Committee on Insular Affairs.

Also, resolutions of the Keystone Society, of Mesa County, Colo., in favor of public building at Grand Junction, Colo.—to the Committee on Public Buildings and Grounds.

Also, petition of Williams, Brown & Earle, of Philadelphia, Pa., favoring the passage of House bills 6634 and 7343, in the interest of sportsmen and fishermen—to the Committee on Interstate and Foreign Commerce.

Also, petition of the State Board of Health of Philadelphia, Pa.,

favoring the passage of the Brosius pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Pure Butter Convention and the Dairy-men's Supply Company, Philadelphia, Pa., in favor of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

Also, petitions of the Carpenters' Union of Columbus, Ohio, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. MOODY of Massachusetts: Petition of the Woman's Christian Temperance Union of Salem, Mass., in favor of the Bowersock anti-canteen bill—to the Committee on Insular Affairs.

By Mr. NAPHEN: Resolution of the Boot and Shoe Club of Boston, Mass., with reference to the bill for the encouragement of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Building Trades Council and Painters' and Decorators' and Carpenters' Union, No. 61, of Columbus, Ohio, against the passage of the Grout bill taxing butterine, etc.—to the Committee on Agriculture.

Also, resolution of the Chamber of Commerce of the State of New York, favoring the passage of House bill No. 10374, modifying the Loud bill—to the Committee on the Post-Office and Post-Roads.

By Mr. NEVILLE: Papers to accompany House bill No. 11174, granting a pension to Mary A. Harding—to the Committee on Invalid Pensions.

By Mr. OLMSTED: Petition of retail druggists of Lebanon, Pa., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, petition of the Woman's Christian Temperance Union of Juniata, Pa., in favor of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. OTJEN: Petition of the mayor and city council of Salt Lake City, Utah, to accompany House bill asking for the cession to Salt Lake City, Utah, of all public lands of the United States undisposed of within the watershed contributing to the supply of Salt Lake City—to the Committee on the Public Lands.

By Mr. PARKER of New Jersey: Petition of Louis L. Staehle and other druggists, of Newark, N. J., for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

By Mr. ROBINSON of Indiana: Petition of Charles B. Moeller and other druggists, of Fort Wayne, Ind., for the repeal of the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. RUSSELL: Petition of druggists of Norwich, Conn., for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. HENRY C. SMITH: Petition of Carpenter Post, No. 41, of Chelsea, Mich., Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petition of the Woman's Christian Temperance unions of Adrian, Salem, and Cambridge and the Evangelical Association at Sebawaing, Mich., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, transports, or premises used for military purposes—to the Committee on Military Affairs.

Also, resolutions of Rowley Post, No. 338, of Clayton; Post 314, of Saline; Post 353, of Manchester, and Post 41, of Chelsea, Mich., Grand Army of the Republic, favoring the passage of House bill No. 9147, relating to service pension—to the Committee on Invalid Pensions.

By Mr. STEWART of New Jersey: Letter of William Nelson, of Paterson, N. J., favoring the passage of House bill No. 10999—to the Committee on the Library.

By Mr. THROPP: Petition of citizens of Somerset, Pa., in favor of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

Also, petition of Eureka Grange, No. 607, Patrons of Husbandry, of Bedford County, Pa., for State control of imitation dairy products as provided in House bill No. 3717—to the Committee on Agriculture.

By Mr. WEYMOUTH: Papers to accompany House bill No. 2876, for the relief of Egbert Stricksma—to the Committee on Claims.

Also, papers to accompany House bill No. 11173, to remove the charge of desertion from the record of Henry Butterfield—to the Committee on Military Affairs.

By Mr. YOUNG: Petition of Roskam, Gerstley & Co., of Philadelphia, Pa., urging the passage of House bill No. 9872, relating to spirits or whiskies in bond—to the Committee on Ways and Means.

Also, petition of the Building Trades Council of Cleveland, Ohio, and vicinity, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.